Tros Tyriusque mihi nullo discrimine agetur

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WHY THE PRESIDENT IS RIGHT

"OBSERVE GOOD FAITH AND JUSTICE TOWARD ALL NATIONS."—GEORGE WASHINGTON.

BY THE EDITOR

After full examination of the Hay-Pauncefote treaty and of the treaty which preceded it, I feel confident that the exemption of the coastwise vessels of the United States from tolls and the imposition of tolls on vessels of all nations engaged in the foreign trade is not a violation of the Hay-Pauncefote treaty.—President Taft to the Congress in 1912.

In my judgment, very fully considered and maturely formed, that exemption constitutes a mistaken economic policy from every point of view, and is, moreover, in plain contravention of the treaty with Great Britain concerning the canal concluded on November 18, 1901.—President Wilson to the Congress in 1914.

When two American Presidents whose ability, patriotism, and conscientious sense of responsibility express contrary judgments upon a matter of the utmost importance to their country, surely there must be room for honest differences of

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opinion in other minds. To make distinction between the respective values of these two matured views would be invidious. It is, moreover, unnecessary to do so, since each is upheld by the highest recognized legal authorities of the United States.

But the above pronouncements are, in fact, but dicta. Neither President Taft nor President Wilson has presented the facts and reasons which wielded the decisive influence upon his mind; each has been content, in conformity with practice, to state his conclusion, and to leave to his supporters the task of exposition. Ordinarily, this would have been done along conventional lines by delegated spokesmen in the House of Representatives, but the unprecedented political situation which developed in that body, placing the four Democratic leaders in opposition to the President, arousing partisan activities and personal ambitions, stirring vituperative expressions of dormant resentments, and generally fetching into the discussion extraneous elements, has occasioned a confusion in the public mind most prejudicial to clear understanding. Nevertheless, the very heat of the brief House debate, unbecoming as it was in some respects, has served the excellent purpose of awakening extraordinary interest throughout the country, and the continuance of discussion upon a higher plane in the Senate cannot fail to win the closest attention.

Here again appears a striking anomaly in the circumstance that the chief advocate of the Democratic President's position is the foremost living Republican statesman, Mr. Root, while the leader of the opposition adhering to the Republican President's affirmation is the Democratic Senator, most eminent as a lawyer, Mr. O'Gorman, both from the State of New York. It is a situation unprecedented in our legislative history, but not to our mind, in a large sense, regrettable, since it emphasizes the non-partisan character of a momentous contest over an international question.

We need hardly direct attention to the very great importance of the ultimate decision; that seems to be well understood. What we would emphasize most strongly is the need of approaching the consideration of a problem so highly charged with possible consequences to this and other nations dispassionately, judicially, and patriotically. It is in that spirit that we shall search the records and analyze the facts in the hope of finding a right conclusion.

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CRUX OF THE CONTROVERSY

The crux of the controversy is Rule 1 of Article 3 of the Hay-Pauncefote treaty, namely:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

Three questions immediately arise:

(1) Does the phrase "all nations observing these rules" include or exclude the United States?

(2) Does the phrase "vessels of commerce" include coastwise vessels of the United States in the matter of the application of the language of the treaty?

(3) Does the exemption of American coastwise vessels from the payment of tolls constitute such a discrimination against the vessels of other nations as is forbidden by the treaty?

The intent of the framers of the treaty is naturally of first importance. Neither Mr. Hay nor Lord Pauncefote is now living, but evidences remain. Mr. Joseph H. Choate was then American Ambassador to the Court of St. James's and had to do with the negotiations; so much to do with them, in fact, that Senator Lodge, who also took an active part, declares that it should have been called the Lansdowne-Choate treaty—an ascription, however, which we must regard as unwarranted, since, so far as we are informed, Mr. Choate had no hand in the actual construction of the agreement. Nevertheless, the importance of Mr. Choate's testimony is apparent. He writes as follows:

> When we came to the negotiations of this last treaty, that of 1901, there was no question that, as between the United States and Great Britain, the canal should be open to the citizens and subjects of both, on equal terms, and that it should also be open on like terms to the citizens and subjects of every other state that brought itself within the category prescribed.
>
> On that point there was really nothing to discuss, and in the whole course of negotiations there was never a suggestion on either side that the words "the vessels of commerce and of war of all nations" meant anything different from the natural and obvious meaning of these words.

A hasty reading of this statement leaves the impression of a definite understanding that our coastwise traffic should not be exempted, but more careful perusal seems to show that it is only Mr. Choate's opinion that such is "the natural

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and obvious meaning of the words "—a deduction clearly borne out by the former Ambassador's previous declarations, to wit:

> As the lips of both these diplomatists and great patriots, who were true to their own countries and each regardful of the rights of the other, are sealed in death, I think that it is proper that I should say what I think both of them if they were here to-day would say—that the clause in the Panama Toll act exempting coastwise American shipping from the payment of tolls is in direct violation of the treaty.
>
> I venture to say that in the whole course of the negotiations of this particular treaty, no claim, no suggestion, was made that there should be any exemption of anybody.
>
> . . . . . .
>
> Lord Pauncefote and John Hay were singularly honest and truthful men. They knew the meaning of the English language, and when they agreed upon the language of the treaty they carried out the fundamental principle of their whole diplomacy, so far as I know anything about it, and in the six years I was engaged with them their cardinal rule was to mean what they said and to say what they meant.
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> . . . . . .
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> The whole discussion against the proposed repeal seems to rest upon prejudice and the proposition that we ought not to submit to British dictation on the question. It is very wide of the mark. It is impossible, in my judgment, to discuss the question fairly on the interpretation of the treaty and come to any other conclusion than that the repeal of the exemption clause in the act is necessary out of due regard for our national honor and good faith.
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> . . . . . .
>
> From the time that this question of a canal through the Isthmus or a canal from the Atlantic to the Pacific, whether through the Isthmus or by way of Nicaragua or Tehuantepec or anywhere else, was agitated, the universal declarations of public men, of Presidents and Secretaries of State, and other public men on both sides of the Atlantic, were to the effect that the canal should be built for the benefit of mankind, on principles of universal equality of the vessels of all nations, and without any discrimination in favor of any nation.

These utterances of Mr. Choate possess undoubted value, first, in setting forth his own interpretation, and, secondly, in recording his firm belief that Mr. Hay, if living, would coincide; but the only direct evidence presented is to the effect that no question concerning our coastwise traffic arose or was considered at any time.

His testimony, therefore, while entitled to bear its rightful significance, cannot be regarded as in any sense conclusive.

Far more direct and convincing is the evidence of Mr. Willis Fletcher Johnson, a journalist of the highest standing,

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who recalls distinctly a conversation with Secretary Hay in 1904 to this effect:

I asked Colonel Hay plumply if the treaty meant what it appeared to mean on its face, and whether the phrase "vessels of all nations" was intended to include our own shipping, or was to be interpreted as meaning "all other nations." The Secretary smiled, half indulgently, half quizzically, as he replied:

"All means all. The treaty was not so long that we could not have made room for the word 'other' if we had understood that it belonged there. 'All nations' means all nations, and the United States is certainly a nation."

"That was the understanding between yourself and Lord Pauncefote when you and he made the treaty?" I pursued.

"It certainly was," he replied. "It was the understanding of both governments, and I have no doubt that the Senate realized that in ratifying the second treaty without such an amendment it was committing us to the principle of giving all friendly nations equal privileges in the canal with ourselves. That is our Golden Rule."

This seems to clinch the argument, so far as the State Department is concerned. But what was the attitude of the Senate, which has co-ordinate authority in the making of treaties?

THE BARD AMENDMENT

When the treaty came to the Senate for ratification, Senator Bard of California offered the following amendment:

The United States reserves the right in the regulation and management of the canal to discriminate in the charges of traffic in favor of vessels of its own citizens engaged in the coastwise trade.

The amendment was lost by a vote of 47 to 23, and the advocates of repeal make much of this fact as evidencing the understanding of our own Government. The opponents of the pending measure, on the other hand, insist that such action bore no significance because of the ground upon which it was rejected, as set forth by Mr. Bard in the following letter:

When my amendment was under consideration it was generally conceded by Senators that even without that specific provision the rules of the treaty would not prevent our Government from treating the canal as part of our coast line, and consequently could not be construed as a restriction of our interstate commerce, forbidding the discrimination in charges for tolls in favor of our coastwise trade, and this conviction contributed to the defeat of the amendment.

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This understanding is confirmed by Senator Lodge, who said in the Senate on July 20, 1912:

I took a somewhat active part in the two Hay-Pauncefote treaties, as they are called. I voted against the Bard amendment. I voted against it in the belief that it was unnecessary; that the right to fix tolls, if we built the canal or it was built under our auspices, was undoubted. I know that was the view taken by the then Senator from Minnesota, Mr. Davis, who was at that time chairman of the committee. I certainly so stated on the floor. . . . I had that same view in regard to this treaty. I was familiar with the work that was done upon it in London at the time when it was conceded there and finally agreed to, and I was very familiar with it here. Although, as the Senator from Georgia correctly said, the question was not raised at that time, I personally have never had any doubt that the matter of fixing the tolls must necessarily be within our jurisdiction.

And by Former Senator Beveridge, who writes:

When the first Hay-Pauncefote treaty was under discussion several Senators gave as reasons for voting against Senator Bard's amendment that it was unnecessary because under the treaty, even as it then stood, we had a perfect right to exempt our coastwise shipping from payment of tolls.

I voted for Senator Bard's amendment, not because I had any doubt upon the subject, but because the fullest possible American rights over the canal could not be stated too strongly for me.

When the second Hay-Pauncefote treaty came up for consideration, so unanimous was the opinion of Senators that under the treaty our right over tolls was undoubted, that Senator Bard did not even propose or offer his amendment again. Instead, he himself voted for the resolution advising the ratification of the treaty without amendment, which carried almost unanimously. This second Hay-Pauncefote treaty is the one now under consideration.

From my recollection of the matter, I think it certain that the Senate would not have advised ratification if it had been seriously contended that the treaty denied us the right to favor our own coastwise vessels.

Senator Perkins also said, on August 6, 1912:

I wish to state that Senator Davis, of Minnesota, was at that time chairman of the Committee on Foreign Relations. He was, as is conceded by all, an authority on international law, and took the view stated by the Senator from New York [Mr. O'Gorman] and that stated by the Senator from Washington. There is no question about it that the rules we did make were to govern other nations than ourselves.

Senator Clapp records his recollection in these words:

I know I was here at the time, although I do not recall all of the speeches. But while some of us voted insisting in some instances that these things should be explicit and in others voting with the majority upon the ground that they were covered anyhow, I believe, both with

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reference to the coastwise trade and especially with reference to the question of fortification, that many of the votes cast against those express provisions were cast upon the theory that without them we nevertheless had the right to do them.

Mr. O'GORMAN. That the provisions were unnecessary?

Mr. CLAPP. Yes; that they were unnecessary.

Former Senator Fairbanks, on the other hand, declares emphatically that "the Bard amendment was voted down, after full discussion, not because it was regarded as surplusage, but because in the opinion of a large majority of the Senate it was violative of the spirit of equality which had been expressed in the treaty."

The net outcome of all the evidence adduced upon this point seems to be that the State Department regarded special reference to coastwise traffic as unnecessary because, under the general terms of the treaty, it could *not* be exempted, and that the Senate took the same position upon the theory that it *could* be. So far as we can perceive, therefore, the scales balance, and there is little room for argument on either side. It is but fair to add, however, that with respect to the right to fortify the canal—a question which took a precisely similar course—the British Government has since acquiesced in the Senate's understanding, upon the ground that a Nation cannot be barred from protecting its own property.

MR. TAFT, MR. ROOSEVELT, AND MR. ROOT

Analysis of the interpretations of the disputed clause by the highest American authorities is peculiarly interesting because of their very contrariety. While Mr. Taft has regarded it as unbecoming, in his present position, to engage in what might seem to be a controversy designed to embarrass his successor, he does not hesitate to declare that he is of the same opinion still as when he signed the Exemption Bill and appended the dictum quoted at the head of this article. Indeed, he went a step further when he said to the deeply concerned Canadians at Ottawa:

The tolls have been fixed on the canal for all the world on the assumption that the coastwise traffic is to pay tolls. Our giving it immunity from tolls does not, in our judgment, affect the traffic of other countries in any other way than it would affect it if we had voted a subsidy equal to the tolls remitted to our ships.

No country is affected by our coastwise traffic except Canada, and if

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Canada is affected that way, she, too, can subsidize her trade from Quebec to Vancouver.

But indications had already appeared that Mr. Taft's conviction was far less firm than his words. In his memorandum filed with the Bill he suggested to the Congress the passage of an amendment extending to British subjects the privilege of appealing to our Supreme Court, and, speaking to the International Peace Forum in New York on January 5, 1913, he said:

> When the time comes there will be no doubt about what I will do about submitting this question to an impartial tribunal. I am willing to arbitrate with Great Britain as soon as we get down to the point at issue. A good many people are saying, "Don't arbitrate, because you are going to lose. This is our canal, and while England is making a point of it, England would not fight about it, and therefore, why give up when you are not likely to get an arbitration that will be satisfactory to you?" Now, even if this view were correct as to probability of result, which I need not and do not admit, that is just the time when I am in favor of arbitration. This is the time that tests your faith in that method of settlement.

While these characteristic words were spoken primarily to prove his good faith with respect to arbitration generally, it is difficult to escape the inference that they also betokened a grave doubt in the speaker's mind regarding the basic merits of the case directly in point.

Mr. Roosevelt's views are plural, as usual. Senator Root, in his famous speech, placed much stress upon his former chief's broad declaration in his Message of January 4, 1904, to the effect that "if ever a Government could be said to have received a mandate from civilization to effect an object the accomplishment of which was demanded in the interest of mankind, the United States holds that position with regard to the interoceanic canal."

"Upon that view," the Senator continued, "we base the justice of our entire action upon the Isthmus which resulted in our having the Canal Zone. We could not have taken it for our selfish interest; we could not have taken it for the purpose of securing an advantage to the people of the United States over the other peoples of the world; it was only because civilization had its rights to passage across the Isthmus, and because we made ourselves the mandatory of civilization to assert those rights, that we are entitled to be there at all. . . . We are forbidden to say we have taken the custody of the Canal Zone to give ourselves any

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right of preference over the other civilized Nations of the world."

We were well aware, at the time when President Roosevelt played the part of a common robber and despoiled Colombia, that Secretary Root experienced no little difficulty in reconciling his part in the proceedings to the dictates of his conscience. It is with the keenest interest, therefore, if not the fullest gratification, that we learn that he finally found his justification in the presumption that Mr. Roosevelt " took " Panama in the name of civilization very much as Ethan Allen took Ticonderoga in the name of the Great Jehovah. Naturally and, let us hope, in response to that still, small voice, the distinguished Senator is now striving earnestly, eloquently, and, we trust the event will prove, successfully, to make amends to that civilization of whose self-constituted mandatory he formed a constituent element.

But if Mr. Root suspected for a moment that the high moral motive evolved from his own somewhat complicated mental processes would be adopted by the prime mover of the marauding expedition, regardless of public sentiment and personal popularity, he reckoned without the candidate. Writing for the *Outlook* of January 18, 1913, Mr. Roosevelt said:

> I believe the position of the United States is proper as regards coastwise traffic. I think we have the right to free *bona fide* coastwise traffic from tolls. I think this does not interfere with the rights of any other nation, because no ships but our own can engage in coastwise traffic. There is no discrimination against other ships when we relieve the coastwise trade from tolls. I believe the only damage that would be done is the damage to the Canadian Pacific Railway. . . . I do not think it sits well on the representatives of any foreign nation . . . to make any plea in reference to what we do with our own coastwise traffic, because we are benefiting the whole world by our action at Panama and are doing this when every dollar of expense is paid by ourselves.

Mr. Roosevelt may have been a mandatory of civilization at the time of the robbery, but his part just at present is that of the quite practical politician not wholly unconversant with the popular trend. Inasmuch as we shall dissect his ludicrous assertion that " there is no discrimination " in regular order, we now dismiss his pronunciamento with the casual reflection that, so far as we are informed, the Canadian Pacific Railway has no friends of voting age in the United States.

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THE FAMOUS OLESEN-SMITH PRECEDENT

While, of course, a dictum of the United States Supreme Court is not effective or binding internationally, its judgment upon a legal question naturally bears vastly greater weight than any other. It would be futile, therefore, to attempt to minimize the influence of the much-quoted decision of the present learned Chief Justice in the now famous case of Olesen against Smith. The facts are these:

The treaty of peace and amity between the United States and Great Britain contains the following provision:

> No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States.

Nevertheless, two statutes were enacted, one by the United States discriminating in favor of its coastwise traffic by exempting it from pilotage charges fixed by State laws, and the other by the State of Texas imposing such charges upon all foreign vessels, but exempting vessels in the coasting trade. Whereupon British shipowners appealed to the Supreme Court, claiming equal treatment, and the case was decided against them on the ground that the exemption of pilotage charges did not concern vessels in the foreign trade, but related solely to coastwise commerce. Mr. Justice White said:

> Nor is there merit in the contention that, as the vessel in question was a British vessel coming from a foreign port, the State laws concerning pilotage are in conflict with a treaty between Great Britain and the United States providing that "no higher or other duties or charges shall be imposed in any port of the United States on British vessels than those payable in the same ports by vessels of the United States." Neither the exemption of coastwise steam vessels from pilotage resulting from the law of the United States nor any lawful exemption of coastwise vessels created by the State law concerns vessels in the foreign trade, and therefore any such exemptions do not operate to produce a discrimination against British vessels engaged in foreign trade and in favor of vessels of the United States in such trade. In substance the proposition but asserts that because by the law of the United States steam vessels in the coastwise trade have been exempt from pilotage regulations, therefore there is no power to subject vessels in foreign trade to pilotage regulations, even although such regulations apply without discrimination to all vessels engaged in such foreign trade, whether domestic or foreign.

"In other words," said Speaker Clark in his recent forceful speech, "the court held that there could be no discrimination where there was no competition, and that as by the

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law of the United States only American vessels can engage in the coastwise trade, it was no violation of the treaty if the regulations applied to all vessels in the foreign trade. The reasoning of that decision applies equally well to the present situation."

And so in fact it would seem, but closer examination does not sustain the conclusion. In the first place, this treaty deals only with ships, not with traffic, and the decision bears exclusively upon a mere incident of commerce and not upon commerce in a fundamental sense. The first and second articles of the treaty relate to freedom of commerce and navigation in reciprocal trade between all the territories of the United States and all the territories of Great Britain in Europe only, admitting " their ships and cargoes to all such places, ports, and rivers in the territories aforesaid " with " complete protection and security," but " subject always to the laws and the statutes of the two countries, respectively," thus expressly excluding from consideration all coastwise traffic, and in the last paragraph of the second article distinctly providing that the commerce of the continent of North America and the West Indies " shall not be affected by any provision of this article, but each party shall remain in complete possession of its rights with respect to such intercourse."

In the third article, in which certain rights are granted to foreign ships to touch at certain points in a country, express agreement is made that the arrangement shall not extend to the coasting trade.

Inasmuch as the alleged discrimination arose from mere pilotage regulation in an American port, not affected by the treaty in any way, but placed specifically under provisions of local law, it was inevitable that the Supreme Court should reject the claim of the British shipowners. We perceive no escape from Mr. Olney's opinion that " there is no analogy or resemblance between the two cases." Consequently, this chief bulwark of opposition—a mighty precedent established by the most exalted American authority—disappears from view.

SECRETARY KNOX AND SECRETARY BRYAN

It is the common belief that Secretary Knox held that the United States retains a legal right to exempt its coastwise traffic from the payment of tolls, but we find nothing in the

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official record to substantiate this impression. In his reply to Sir Edward Grey, the Secretary refuted the British claim that additional burdens would be put upon foreign traders through the necessity of making up the deficiency in revenue arising from such remission by stating simply that the estimated domestic income had been taken into account and allowed for in fixing the tolls, and added:

> The exemption of the coastwise trade from tolls, or the refunding of tolls collected from the coastwise trade, is merely a subsidy granted by the United States to that trade, and the loss resulting from not collecting or from refunding those tolls will fall solely upon the United States. In the same way the loss will fall on the United States if the tolls fixed by the President's proclamation on all vessels represent less than the fair value of the service rendered, which must necessarily be the case for many years; and the United States will, therefore, be in the position of subsidizing or aiding not merely its own coastwise vessels, but foreign vessels as well.

While admitting that the British claim of inequality might properly be referred to a commission for examination, he did not feel that the question demanded consideration at that time. He did, upon another occasion, say frankly:

> American public opinion is so fully convinced that this country is right in the canal-tolls dispute with England and has such well-grounded suspicion that the whole English contention is in the interest of the English stock and bond holders in the Canadian Pacific and other Pacific railroads that popular interest in the notes exchanged between the foreign offices of the two countries is not keen. . . . Their will has been expressed by the act of Congress freeing American ships from tolls, and if "diplomacy" tries to veto that decision diplomacy will get a bad upset.

But this is no more than an interpretation of public sentiment, it does not touch the legal aspect of the case, upon which, to the best of our information, Mr. Knox has not pronounced an opinion.

Secretary Bryan has manifested a like reticence. What has been evolved from the painstaking study which presumably he has devoted to the subject of direct and engrossing interest to his Department has to be divulged.

MR. OLNEY FOR AND AGAINST

It is no reflection upon Mr. Bryan's erudition in the law to suggest that, in any case, the opinion of his distinguished Democratic predecessor, Mr. Olney, would be commonly regarded as possessing at least equal claim to consideration. This appears in a carefully prepared address read by Mr.

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Olney before the American Society of International Law at Washington, on April 25, 1913, concluding as follows:

To sum up the conclusions resulting from the foregoing considerations, it is submitted that—

1. The United States, as builder and owner of an artificial waterway within its own territory, is entitled to dictate the conditions of its use unless and only so far as it has contracted the right away.

2. It has made no such contract, except with Great Britain and by the Hay-Pauncefote treaty and by the clauses of that treaty which stipulate for the use of the canal by "all nations" on equal terms and for reasonable and equitable tolls.

3. As the term "all nations" comprehends not only States, but their nationals, the crucial question is, are the words "all nations" inclusive or exclusive of the United States and its nationals?

4. The principle is well settled that a State conveys away its rights of sovereignty or property only by terms which are clear and express and are not susceptible of any other reasonable construction. If the terms are vague and of doubtful import the presumption is against the State's intention to part with or abridge its jurisdictional or property rights.

5. Hence, as the term "all nations," as used in the treaty, may be taken to mean either all without exception or all except the United States, the latter meaning is to be accepted as the true one because the least restrictive of the normal rights and powers of the United States.

6. But it is unnecessary to rely upon presumption. The treaty assumes the United States to be the owner of a canal to be built by it on its own territory and must be taken to have had as its natural and legitimate aim the fixing of the terms upon which other nations might use it. Except as necessarily abridged by such terms, nothing in the treaty indicates any purpose to further abridge the rights of the United States as canal builder and owner.

7. In short, the treaty is an instrument by which the proprietor of a canal fixes and states the terms of use to its customers.

There is an utter absence of evidence that the United States regarded itself as one of its customers.

8. The neutralization proposed by the Clayton-Bulwer treaty resembles that proposed by the Hay-Pauncefote treaty only in the idea that the operating charges and rules for use of the canal shall be the same for all nations. It differs, of course, in the vital feature of conditioning such equality of terms upon protection being afforded to the canal.

9. When five out of six of the treaty rules for the use of the canal do not apply to the United States, it is a reasonable conclusion that the sixth also was not meant so to apply.

10. The different phases of American public and official sentiment respecting the canal are noteworthy and not to be overlooked in construing the Hay-Pauncefote treaty.

While the United States was expecting to be merely one of the users of the canal, it strenuously insisted upon equality of rules and charges for the use of the canal and did not concern itself about the rights of the canal owner.

When the rôle of builder and owner of the canal was forced upon it,

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it as strenuously insisted upon complete ownership and complete control and complete elimination of all foreign participation or control.

Its purposes and views are completely defeated if the Hay-Pauncefote treaty is to be construed according to the British contention, and the United States has lost the ordinary and normal right of the canal owner to be exempt from the tolls and charges it makes to customers.

We record these conclusions at length because they comprise in most succinct form the entire legal argument in favor of the right of exemption. They are, moreover, the most positive, if not convincing, that have been adduced from any competent source. Nevertheless, Mr. Olney now favors repeal upon the broad ground that the Congress "ought to stand by the President." After noting, in a letter to Representative Peters, that the President, in effect, declares that the merits are immaterial and that repeal is essential to proper conduct of our foreign relations, Mr. Olney says:

Now, this declaration of the President must be accepted as made in good faith, with absolute sincerity, and with an intimate knowledge of foreign relations that Congress cannot pretend to. What else, therefore, is there to do but follow the President's lead upon a matter upon which he is entitled to lead both by reason of superior acquaintance with the subject and because our frame of government requires him to lead? It must be borne in mind that for Congress not to support such an urgent appeal as the President has made in this instance is not merely to defeat a measure which may be, and which he deems to be, required both by the honor and the well-being of the Nation. It is to discredit him for the future, it is to weaken and prejudice him in his subsequent intercourse with foreign nations, it is to give them notice that he is rather a figurehead than a real factor in the National Government, and that dealings with him are hardly to be regarded as very serious affairs.

Independent citizens may or may not coincide in this view, conformably to their bent of mind, but the strength of its appeal to influential Democrats is undeniable. The suggestion that Mr. Olney reversed his personal attitude without disclaiming his legal position in gracious return for the President's tender of the Ambassadorship to the Court of St. James's we regard as unworthy of consideration.

BRITISH INTERPRETATIONS

Although the questions of interpretation and international law have attracted comparatively little attention abroad, the advocates of the theory of our right to exempt our coastwise traffic are not without supporters even in England. The *London Law Review,* for example, frankly admitted that

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"Great Britain, Germany, France, or other great powers would not discuss for a moment the claim of any power to hold a treaty right to demand that tolls be placed upon their coastwise trade in the waterways they own, control, or have built." And declared further:

(a) That the United States can support its action—that is, providing for exemption for the coastwise vessels—on the precise words of the material articles of the treaty; that its case is strengthened by reference to the preamble and context; and that its case is difficult to challenge on grounds of general justice;

(b) There is no international obligation to submit the construction of its legislative act to any process of arbitration; and

(c) That any aggrieved party has an appropriate and impartial and a competent tribunal in the Supreme Court of the United States.

So, too, Mr. C. A. Hereshoff-Bartlett, a recognized authority, said plainly that "the treaty could never have been intended to prevent the Federal Government from arranging and regulating its domestic or coastwise commerce and its use and enjoyment of its own property as it saw fit," and added:

The use of the words "vessels of war" shows plainly that the word "vessel" as used refers only and exclusively to those of all nations other than those of the United States, and that the word "nations" was restricted to foreign nations; that is to say, nations foreign to the United States.

But the British admission to which Senator O'Gorman and his associates attach the utmost importance is contained in the following communication from the Chargé d'Affaires Mr. A. Mitchell Innes, dated July 8, 1912, and addressed to the Secretary of State:

As to the proposal that exemption shall be given to vessels engaged in the coastwise trade, a more difficult question arises. If the trade should be so regulated as to make it certain that only *bona fide* coastwise traffic which is reserved for United States vessels would be benefited by this exemption, it may be that no objection could be taken.

Practically every argument opposing repeal that we have read advances the above quotation in the form given as demonstrating the British Government's virtual concession of the right of exemption. We find, however, upon examination of the original transcript, that Mr. Mitchell Innes immediately added:

But it appears to my Government that it would be impossible to frame regulations which would prevent the exemption from resulting, in fact,

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in a preference to United States shipping and consequently in an infraction of the treaty.

Which not only robs the utterance of much of its assumed and apparent significance, but coincides wholly with Sir Edward Grey's latest and very positive insistence that "coastwise trade cannot be circumscribed so completely that benefits conferred upon it will not affect vessels engaged in the foreign trade and thereby constitute a discrimination in plain contravention of the provisions of the treaty."

Upon this point—*i.e.*, of discrimination—there is and can be no room for doubt. Professor Emory R. Johnson, who fixed the tolls under the direction of President Taft, demonstrated that fact beyond question in the April REVIEW, but a single example will suffice. The Pacific Coast obtains its hard coal from the Atlantic seaboard and from Wales. Under the existing law a ship bearing cargo from Norfolk to California would pass through the canal free, while a like vessel from Swansea would be compelled to pay tonnage rates. Similar instances might be cited indefinitely, but more need not be said to prove the absurdity of Mr. Roosevelt's heedless assertion that "there is no discrimination against other ships when we relieve the coastwise traffic from tolls."

"VESSELS OF WAR"

Much has been made by opponents of repeal of the treaty provision that the canal shall be "free and open to the vessels of commerce and *of war* on terms of entire equality." How, they ask, can this be held to apply to merchant-ships if not also to battle-ships? Even so intelligent a statesman as Senator Cummins solemnly declared that "if the United States is within the phrase 'all nations,' then that provision would apply to us in the event of war between us and any other country in the world." The reasons why this is not true are twofold: First, the matter has already been determined and agreed upon by the high contracting parties. Secretary Hay said at the outset in his memorandum transmitting the treaty to the Senate:

> War between the contracting parties or between the United States and any other power would have the ordinary effect upon treaties when not specially otherwise provided and would remit both parties to their original and natural right of defense and give to the United States the clear right to close the canal against the other belligerent and to protect it and defend itself by whatever means might be necessary.

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Simultaneously Lord Lansdowne wrote:

I understand that by the omission of all reference to the matter of defense the United States Government desires to reserve the power of taking measures to protect the canal, at any time when the United States may be at war, from destruction or damage at the hands of enemy or enemies.

And, finally, Sir Edward Grey stated explicitly in his note of November 14, 1912:

Now that the United States has become the practical sovereign of the canal, His Majesty's Government do not question its title to exercise belligerent rights for its protection.

A more definite understanding cannot be imagined, but if further assurance be required it is to be found in the simple fact that a state of war suspends treaties. Clearly, this plea is so wholly disingenuous as to be unimpressive even as a bugaboo.

THE WELLAND CANAL CASE

The Welland Canal tolls case was brought forward most effectively as a parallel by Senator Root. The treaty of 1871 contains the following provision:

The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion.

Subsequent to its adoption Canada fixed the Welland Canal tolls at twenty cents per ton upon the merchandise of both Canada and the United States, but granted a rebate of eighteen cents per ton upon all merchandise going to Montreal. On August 23, 1888, President Cleveland protested against this action upon grounds set forth in a Message to Congress, to wit:

The equality with the inhabitants of the Dominion which we were promised in the use of the canals of Canada did not secure to us freedom from tolls in their navigation, but we had a right to expect that we, being Americans and interested in American commerce, would be no more burdened in regard to the same than Canadians engaged in their own trade; and the whole spirit of the concession made was, or should have been, that merchandise and property transported to an American market through these canals should not be enhanced in its cost by tolls many times higher than such as were carried to an adjoining Canadian market. All our citizens, producers and consumers, as well as vessel owners, were to enjoy the equality promised.

And yet evidence has for some time been before the Congress, fur-

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nished by the Secretary of the Treasury, showing that while the tolls charged in the first instance are the same to all, such vessels and cargoes as are destined to certain Canadian ports—their coastwise trade—are allowed a refund of nearly the entire tolls, while those bound for American ports are not allowed any such advantage.

To promise equality and then in practice make it conditional upon our vessels doing Canadian business instead of their own, is to fulfil a promise with the shadow of performance.

Thereupon, continued Senator Root, "Canada retired from the position which she had taken, rescinded the provision for differential tolls, and put American trade going to American markets on the same basis of tolls as Canadian trade going to Canadian markets. She did not base her action upon any idea that there was no competition between trade to American ports and trade to Canadian ports, but she recognized the law of equality in good faith and honor; and to this day that law is being accorded to us and by each great Nation to the other."

To this Senator O'Gorman responds, as Mr. Olney replied in the pilotage controversy, that there is no analogy between the two cases, the one being a matter of treaty and the other of legislation. The commercial arrangement, he insists, rested not upon the treaty of 1871, but upon the reciprocal legislation enacted by both countries, and Canada withdrew from her position, not because she was violating a treaty to which she was not a party, but because under the powers reserved by the Act of 1873 the United States had a right to retaliate and Canada considered it disadvantageous to her own interests to invite such retaliation.

Technically we should say that Senator O'Gorman's position is correct, but there is no gainsaying the applicability and potency of President Cleveland's interpretation of the spirit of an agreement guaranteeing equality between nations.

ARBITRATION AND ABROGATION

Why not arbitrate? is a question often asked. Sir Edward Grey expressed full willingness to accept this method, Senator Root and Mr. Olney suggested it, Mr. Knox did not reject it, and Mr. Taft approved it. Moreover, we have a treaty with England expressly providing that questions involving the interpretation of other treaties should be referred to an arbitration tribunal, and it covers the canal tolls dispute to a nicety, but it requires a two-thirds vote of the

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Senate to refer a specific question, and this could not be obtained. President Wilson might have saved his own face and possibly have served all political purposes by recommending arbitration, but greatly to his credit he disdained to avail himself of a method which he knew to be ineffectual; he preferred to meet the issue squarely and abide the consequences.

So, too, many minds are confused by the assertion that a change of conditions might justify the abrogation of this treaty altogether, especially in view of the fact that some of the highest authorities have held that the virtually obsolete Clayton-Bulwer treaty was, in fact, abrogable. Even so competent a jurist as Mr. John Bigelow declares that the mere fact that the United States now actually controls the canal territory which it did not control at the time of the making of the treaty "makes the interpretation subject to the general principles of law and equity which render an agreement voidable at the pleasure of either party." Clearly, he must have overlooked the specific provision contained in Article IV., which reads as follows:

> It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present treaty.

Here, surely, is left no ground for dispute.

THE ADOPTION OF REGULATIONS

Senator O'Gorman attaches much importance to the phrasing of Article III., to wit:

> The United States adopts, as the basis of the neutralization of such ship canal, the following rules, etc.

Mr. O'Gorman construes this as "indicating at once a clear distinction between the Government that makes the rules and the Government that observes the rules," and that the equality shall be only that which shall be maintained among "the (other) nations observing the rules prescribed by the United States." We frankly perceive no point in this contention. It was necessary for some authority to make regulations, and obviously the only authority empowered to do so was the Nation whose exclusive control of the canal was universally conceded. But the rules thus pre-

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scribed must conform to the terms of "equality" guaranteed by international agreement just as surely as an ordinary statute must conform to the Constitution. Upon that point there is no shadow of doubt. A claim to the contrary, therefore, can be regarded as no better than transparent subterfuge.

PRESIDENT WILSON'S REASONS

We come now and finally to the reasons set forth by President Wilson in his dramatic appeal to both the Congress and the Democratic party to reverse their positions. The President begins:

> In my own judgment, very fully considered and maturely formed, that exemption constitutes a mistaken economic policy from every point of view, and is, moreover, in plain contravention of the treaty with Great Britain concerning the canal concluded on November 18, 1901.

Opinions differ with respect to the economics of exemption. The amount involved at least for the first few years is trifling. Professor Johnson fixes the maximum that would be collected per annum from our coastwise shipping at two millions of dollars. Granting that this sum would be, in effect, a subsidy, it is infinitesimal as compared with the enormous grants to the transcontinental railways. Admitting further, as the President pointed out in his letter to Mr. Marbury, that the favor would be extended, "for the present, at any rate," to a monopoly, is it probable that, if the business should prove to be as profitable as is anticipated, the monopoly would remain for long unbroken? Is it not, indeed, far more likely that the imposition of tolls would greatly enhance the difficulties of establishing effective competition with the well-equipped and financially strong existing companies? On the other hand, does not the very moderate toll-rate fixed upon all vessels afford the shipping industry quite as much advantage as it is entitled to receive?

We do not pretend to know. Neither do we consider that it makes any material difference. What we do know is that forty-five years ago thirty-five per cent. of American shipping was carried in American vessels, and that to-day it hardly reaches nine per cent. of all sea-borne American traffic. Under the circumstances, we are disposed to believe that it would be sound economic policy to open the

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gates of the canal wide to revivification of the American mercantile marine, if we had the legal and moral *right* to do so. But have we? That is the question, and the only one, and until that question is settled it is idle to discuss prospects and percentages. To our mind, since the raising of the economic phase serves only to make for a volume of unnecessary discussion, the President would have done well to ignore it altogether.

The President continues:

> But I have not come to urge upon you my personal views. I have come to state to you a fact and a situation. Whatever may be our own differences of opinion concerning this much-debated measure, its meaning is not debated outside the United States. Everywhere else the language of the treaty is given but one interpretation, and that interpretation precludes the exemption I am asking you to repeal.

This must be taken in connection with the statement in the President's letter to Mr. Marbury to the effect that the point "is at least debatable, and if the promises we make in such matters are debatable, I, for one, do not care to debate them." The meaning of all this, of course, is that the United States should acquiesce in the judgment of other Powers, irrespective of our own opinion, without debate.

We squarely dissent from any such doctrine. We agree with the *London Times* which says frankly that "such a notion is naturally unpalatable to a high-spirited people who feel themselves entirely competent to deal with all their foreign problems on the merits of each and without extraneous assistance." Even admitting, although the evidences are not as yet forthcoming, that all other nations stand with Great Britain in this matter, we are nevertheless the party most directly and deeply concerned, and surely we are entitled to a hearing. We are unable, moreover, to see how President Wilson can sustain such a position with any degree of consistency while, at this very moment, he persists doggedly in refusing to recognize the *de facto* government of Mexico, in plain defiance of the unanimous opinion of the civilized world. No other self-respecting nation on earth, least of all Great Britain, would make such an admission; and, whatever may be our final action on the Repeal Bill, the fact should be made indubitably clear that we do not.

The President proceeds:

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> We consented to the treaty; its language we accepted, if we did not originate it; and we are too big, too powerful, too self-respecting a Nation to interpret with a too strained or refined reading the words of our own promises just because we have power enough to give us leave to read them as we please. The large thing to do is the only thing we can afford to do—voluntary withdrawal from a position everywhere questioned and misunderstood. We *ought to reverse our action without raising* the question whether we were right or wrong, and so once more deserve our reputation for generosity and for the redemption of every obligation without quibble or hesitation.

We ought to "reverse our action"; assuredly yes; not, however, because our position is "everywhere questioned and misunderstood," nor because its rightfulness is beyond the pale of consideration, but *because we were wrong* and are indeed "too big, too powerful, too self-respecting" to deny it; for that and no other reason we should do "the large and only thing we can afford to do."

The President concludes:

> I ask this of you in support of the foreign policy of the administration. I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure.

This enigmatical phrase has evoked an unconscionable amount of speculation. Despite the fact that it affords a way out for Congressmen like Senator Lodge, we cannot but regard it as inept and calculated to render the cause of repeal more harm than help. The allusion is not only so vague and mysterious as to be susceptible of all kinds of misconstruction, but it is directly contrary to the President's professions of publicity as a worthy and effective force, and, worst of all, it evinces an unhappy distrust of the intelligence, prudence, and patriotism of the leaders of the very co-ordinate branch of the Government to which he makes his appeal. The growing restiveness of the Congress indicated by Senate resolutions calling for more detailed information makes it quite clear that, in this particular, the President either went too far or not far enough. The mistake, however, if such it really be, is one of tactics only, and is in no sense vital or even serious.

THE POLITICAL PHASE

The political aspect of the situation need not be considered at this time. That it is serious from the Democratic

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standpoint is undeniable. Assuming, as we fear to be the case, that public sentiment as a whole is strongly against repeal, the party is bound to suffer severely at the polls in November. If the measure shall carry, Republicans and Progressives will have at least one popular issue upon which they can unite unqualifiedly and aggressively. If it shall fail, the prestige of President Wilson will receive a sharp blow, and the vaunted effectiveness of the Democratic party as a compact and capable organization will lose much of its appeal to independent voters as a reason for continuance in power. Whatever the event, the enthusiasm of unity so essential to successful party strife cannot but be seriously impaired. Other issues may arise, as "the White House" has intimated, but assuredly this one will not be permitted to die.

CONCLUSION: UPHOLD THE PRESIDENT!

So we have run the gamut. If arguments upon either side have been overlooked, the omission is due to no intent. We have tried to set forth all of the facts faithfully and to present their true meaning. And there is no escape from the conclusion that exemption is, as the President has said, "in plain contravention of the treaty with Great Britain," and that consequently "the large thing to do is the only thing we can afford to do—a voluntary withdrawal" from a false position, from which we must retreat or forfeit what Jefferson depicted as "decent respect in the opinions of mankind."

True, we built the canal; we own it; true, Great Britain will derive greater advantage from its construction than all other nations combined; true—and to this extent we agree with Mr. Roosevelt—it ill behooves the British Government, under the circumstances, to raise the question of our coastwise traffic at all; true, if we repeal exemption now we do it for all time and admit foreign possession of a partial veto power which approaches more closely than we enjoy to a subtle encroachment upon the Monroe Doctrine; true, if you like, we made a bad trade, the terms of which would have been modified long since but for the utter inadequacy of our diplomatic service.

But we have pledged our faith as a Nation; and that is the beginning and the end of all argument. England may—in fact, surely will—derive vast material gains by holding us

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fast to the hard bargain which she drove, so shrewdly and successfully, but if ultimately she profits as a Nation from so flagrant a demonstration of narrow selfishness, her experience will be unique in the history of the world. With that we have nothing to do; it is her own affair.

Our sole concern relates to our own honor, and that must be preserved inviolate. That it would be sullied in our own eyes and before the world we firmly believe a careful study of all phases of the subject as depicted above cannot fail to convince every honest mind. To all good citizens, then, we say, unhesitatingly:

Remember the admonition of Washington to "observe good faith and justice toward all nations" and stand by President Wilson in his courageous determination to "redeem every obligation without quibble or hesitation"; stand by him, not necessarily because he is President, but because he is right.

And then, when we shall have eaten of the bitter fruit of our own careless growing, let this and all subsequent Administrations take to heart these concluding words of the Father of His Country:

"The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. *Here let us stop!*"

ON TRAITORS AND INGRATES

Surely it is a pity that our most widely circulated public journals seem unable to discuss a subject, especially of international concern, without indulging in extravagant and rancorous assertion. Mr. Hearst is a notorious offender in this regard, and Mr. Pulitzer is quite within bounds in calling him sharply to account for virtually denouncing the President as "a traitor" because, forsooth, he insists upon maintaining a treaty obligation. While we are unable to follow the *World* to the full extent of pronouncing such vilification as wilful incitement to assassination, its reprehensibility is certainly without excuse of any kind and merits just rebuke.

Whether, on the other hand, the *World* itself is so impeccable as to be warranted in administering so severe a repri-

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mand is perhaps a question. We observe, for example, that while Mr. Hearst was accusing President Wilson of betraying his country, Mr. Pulitzer was no less vehement in denouncing Speaker Clark, not only as a traitor, but as "a perfidious ingrate." And why? To whom or to what had the Speaker proved recreant or false? He opposed cloture, to be sure, but in so doing he merely reiterated the protest against arbitrary rule which eventuated in the dethronement of Cannon and the triumph of the Democratic party at the polls in 1910. Mr. Clark led that fight, and subsequently, when elected Speaker, maintained consistency by voluntarily depriving himself of much of the power which he might easily have retained. No journal opposed Cannonism at the time more strongly than the *World,* and none applauded the self-abnegation of the new Speaker more heartily. And yet now it condemns him for his very steadfastness, no less than for manifestation of the courage of independent conviction, the lack of which in the Congress the *World* has lamented constantly since May 10, 1885. Who, then, has changed, the Speaker or the *World?*

Even more scathing was the *World's* denunciation of Mr. Clark's speech against repeal of the canal-tolls exemption. Here again he proved himself a traitor by adhering to a plain mandate of his party adopted by its National Convention, and explicitly indorsed by its candidate during the campaign. Surely rational ground for such action can be found, even though, as we in common with the *World* believe, sufficient excuse appears in this instance for disregarding the pledge. If the positions were reversed, however, and the President was now upholding and the Speaker repudiating the platform, we can almost see the gilded dome shaken as by an earthquake by reverberations of "broken faith," "shameless betrayal," and goodness knows what all. And with good reason, too, because it was not Mr. Clark, but Mr. Wilson, who said, "Our platform is not molasses to catch flies; it means business; it means what it says"; and it was not Mr. Clark, but Mr. Bryan, who declared that the violator of a party pledge is "a criminal worse than an embezzler."

Moreover, is there any real reason to doubt the sincerity of Speaker Clark in declaring his belief in the right and desirability of exemption? He is commonly reckoned an honest man; and what could ring more true or fair than this from his wholly temperate and considerate address:

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The President is convinced that the statute as it now stands does contravene our solemn obligation, and should therefore be repealed. So believing, he does the only thing that an honorable and conscientious head of the Nation could do; he asks us to reconsider our action in view of his conviction that we have violated a pledge. Whatever may be the differences of opinion respecting the merits of the case, I do President Wilson honor for his act. If I were in his place and believed as he believes, I should do as he has done. Moreover, I have such confidence in the President that I have not the slightest doubt that if he were in my place and believed what I believe, he would do as I am doing. But I do not and can not indorse his judgment in this matter. I think he is wholly in the wrong, at least so far as the treaty bears upon our own domestic situation, and consequently offers no just cause for the breaking of a well-considered party pledge.

If this is not the voice of duty, conscience, and tolerance, then never before did simple words so wholly belie an earnest conviction. And yet, in the calm, broad judgment of a great Democratic newspaper, they stamp a Democratic Speaker of the House of Representatives as "a perfidious ingrate."

A strong term, that! Not only, according to the dictionary, is an "ingrate" a most despicable person either unable from temperamental defect or unwilling for personal advantage to manifest due appreciation of loyal service rendered by another, but "perfidious" is synonymous with "false-hearted," the "basest" of mankind. There may be ingrates in Washington, but if so the very last among those to whom, in the minds of his colleagues and constituents, the opprobrious term might be suspected to apply, we should say without question, is the present Speaker; and nowhere in American public life, we must believe, does "perfidy" abide.

When our amiable Brother Roosevelt makes his happy advent, therefore, we shall request him to administer the most gentle reproof of which he is capable to both Mr. Hearst and Mr. Pulitzer. Meanwhile, the particular phase of higher journalism involved might well be taken under prayerful consideration by Mr. Talcott Williams, Director of the Columbia School of Theoretical Actualities.

SIGNIFICANCE OF THE BYE-ELECTIONS

THE Congressional bye-election in the Twelfth District of Massachusetts last month resulted comparatively as follows:

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	1912	Per cent.	1914	Per cent.	
Democrat	14,875	.501	8,708	.535	+.034
Republican	5,812	.196	3,973	.244	+.048
Progressive	9,001	.303	3,592	.221	—.082
Total vote	29,688		16,273		

"The meaning of these figures," says the Boston *Herald*, "is clear. The Progressives lost eight per cent., five of which went to the Republicans and three to the Democrats. The Progressive movement is receding to the advantage of the Republicans, but the Democratic tide has not spent its force." Both Republicans and Progressives made active campaigns, the former importing several speakers from Congress, and the latter fetching into the contest their most effective leader, Mr. Charles Sumner Bird, and Mr. Bourke Cockran. The Democratic candidate praised the Administration, but declared flatly against canal-tolls redemption; consequently he received no help from Washington. His clear majority indicates that he gauged accurately the sentiment of the voters. In fact, Representative Harrison did not hesitate to say on the floor of the House that "so far as I could observe, the majority of the people of the district were in favor of free tolls."

The election in the Seventh District of New Jersey resulted as follows:

	1912	Per cent.	1914	Per cent.	
Democrat	9,990	.466	5,240	.319	—.147
Republican	6,666	.312	10,620	.646	+.334
Progressive	4,746	.222	619	.035	—.187
Total vote	21,402		16,479		

The Socialist candidate received 5,053 votes, only 187 fewer than the Democratic nominee.

The Democratic candidate stood for repeal of the Exemption Bill and received the full support of the Administration. President Wilson, in a letter, urged the voters to "show their judgment with regard to the present Administration" by electing him; Senator Lewis implored them not to "repudiate the President in his home"; Senator James declared that it would be "a personal insult to President Wilson" if he were defeated; and Representative Glass said

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his rejection would imply "condemnation of the Administration." Secretary Bryan was to have spoken also, but a quite temporary indisposition prevented. On the day after the election Secretary Tumulty announced that it was normally a Republican district and that the Administration had no expectation of carrying it, thus conveying at least a suggestion of political unwisdom in emphasizing so strongly as a test a defeat predestined to be overwhelming.

We are convinced by investigation that, while the sentiment of the district is against repeal, the chief cause of the turn-over was general dissatisfaction with industrial conditions, supplemented by a shifting of the Irish-American vote to the Republican column. A like outcome, in our judgment, would have resulted in any other manufacturing district in New Jersey or New York. If so, in view of the sign from Iowa that the farmers are returning to the Republican party, and of the certainty that the Progressive vote is disintegrating, a condition has arisen which calls for very serious consideration on the part of Democratic leaders.

PROFESSOR HART AT SEA

It was with keen zest for edification that we opened the Sunday paper and beheld the head-lines: "Huerta is Not Entitled to Recognition says Albert Bushnell Hart—Harvard Professor Takes Issue with George Harvey on the Mexican Situation and Strongly Upholds the President." Knowing Dr. Hart full well as both a thinker and a writer, our impatience to discover the capacity in which he had taken pen in hand in this particular instance was hardly controllable, and we read at racing speed.

Yes, it was true: "The present situation of Mexico is not abnormal, not something to be set aside by diplomacy or tact or proclamations or a brilliant magazine article or by shouting, 'Recognize Huerta!'" No, indeed; "this is the normal condition of Mexico, likely to continue decades after Huerta is gathered to his victims" and attributable not to lack of recognition nor "even to the weakness of Mexican government," but to "an instability of Mexican character, which seems to make good government impossible." As for the "timorous commander," where has he been "during the fierce campaigns in the north while town after town has been taken by forces of Mexicans which

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were little better than organized brigands?" Where, indeed, but in the National capital, where he belonged quite as surely as Lincoln was due to stay in Washington during our own equally fierce campaigns in the South?

But never mind. Dr. Hart pronounces Huerta unfit and consequently unworthy of recognition. So let it be. What then? Carranza? What! Carranza, who "has left the conduct of the campaign to Villa—a man who combines the lofty qualities of a practical bandit and train-robber, a safe-breaker and a captor of a nunnery; a man who habitually, deliberately, and in cold blood kills fellow-Mexicans who have opposed him, musket in hand like men, and who have surrendered?" Carranza? Never!

Then Villa, perchance—Villa, whose "shocking business is nothing but plain, despicable murder; murder without any military advantage; murder for the sake of killing; a man who has as much capacity for civilized government as a bull in a ring; a man who seizes upon power that he may benefit himself and massacre his enemies"? Villa? A thousand times no!

Intervention, then? Let us see! "Allowing that intervention should begin, where and how is it to end? Supposing that our physical means are sufficient for the task of holding down Mexico, have we not sufficient race and color questions already? Are we so far advanced in the amalgamation of European races, much nearer to us than the Mexicans are in culture and standards, that we can undertake a similar task at long range upon an unwilling people? Is Cuba so certain to remain a dependency instead of to become an integral part of the United States that we can undertake a problem many times more difficult? Have we been so successful in the fair treatment and civilization of our own three hundred thousand Indians that we wish to be responsible for fourteen million more? Is the government of Boston, New York, and Philadelphia so firmly established on principles of truth and righteousness that we can now transfer our energies to the uplift of Tampico and Mazatlan and the City of Mexico? Von Moltke used to say that he had worked out three different detailed plans for the invasion of England by a German army, but he never could contrive a plan for getting the army back again. A stroke of the pen can send an army into Mexico! How many strokes of the sword will be needed to keep it there?"

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And yet, says Dr. Hart, firmly, "there is a positive and pressing need for official understanding with some authority in Mexico, because the property and lives of foreigners, including many American citizens, are in daily danger. Some of that property arises from questionable dealings with defunct governments; much of it is fairly and honestly won against great difficulties. Most of the Americans who have established themselves in Mexico did so under a government which seemed likely to retain its authority and keep the peace. Our Government owes to those people moral support at all times and protection in case of need. Of course, that protection can be offered without recognition of this or that Mexican government; and it is difficult to see how a constitutional President who cannot defend the lives and property of his own adherents in the north could, by recognition, become suddenly powerful enough to defend Americans."

And there Dr. Hart leaves us groping in the mist for a suggestion that might bear at least a semblance of coherence, and finding not so much as a ray of intelligibility! If this be a train of thought, it is not even on its way; it has stopped dead at the station called Anarchy and is enveloped in the blackness of devastation and despair. We find it not in our heart to envy the President this "strong support" of the watchful waiting that seems at last to be approaching its inevitably bad end.

Salutations, in any case, to the admirable historian and ambitious logician, Dr. Albert Bushnell Hart, the true and typical Harvard man, whom "you can always tell—but not much!"

MR. BRYAN AND HIS FIFTH ASSISTANT

We cannot refrain from noting with satisfaction the ease with which Secretary Bryan overwhelms his critics with confusion whenever occasion offers. Three distinct accusations from the Middle West have been hovering over his head for some time: (1) That he pays no attention to the details of his office; (2) That he is extravagant; and (3) That he is stylish. In a very few, simple words Mr. Bryan demolished all three charges the other day at a hearing before the Senate Committee on Appropriations. After explaining to the Committee with pardonable pride that he

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had reduced the estimated expenditure of his Department from $354,160 to $354,040, thus effecting a net saving of $120 per annum, he said:

> I find a man who has been acting as coachman for thirty years or more is carried here as a messenger. I think he ought to be carried by a term that will describe him; or, if you do not want to do that, if you will permit me to detail a messenger to act as coachman, that will be satisfactory. I am using a man now as a coachman and he is being paid by the Government, and there is apparently no authority for it, and I would rather have authority for what is done.

In other words, while admitting the need of a coachman, or driver, as they call him in Nebraska, he did not wish to ride behind a false pretense in the guise of a messenger. Moreover, he continued, "while on this question of expense, I found that it had been customary to use another messenger as assistant to the driver or as a footman," and added, somewhat pathetically, "You gentlemen, of course, know you cannot get along with a driver alone when engaged in the matter of returning cards." The Senators addressed nodded understandingly and, probably to show their own familiarity with the usages of polite society, granted the allowance. So, too, finally, did the House, though with less grace, because Representative Good of Iowa disliked the appellation "footman," and wished to substitute "messenger who shall act," etc. After Mr. Good's motion had succumbed to a point of order, Representative Murdock of Kansas objected to the appropriation for "equipment for drivers," which he insisted meant "livery and nothing else," and said, emphatically, "I know the Secretary of State; I protest for him; I know the country from which he hails and its customs; we do not believe in that sort of thing out there." Nevertheless, since nobody seemed to know what is considered a suitable costume for a footman where footmen are unheard-of and the only cards known are euchre decks, the protest passed unheeded and the appropriation was made with but the one condition that "equipment" should not comprise "skin-tight pants." To meet all other objections, it is understood that the assistant driver will be designated as Fifth Assistant Secretary of State, to correspond with the traditional fifth wheel of a coach no less than with the other Assistant Secretaries whose names escape passing recollection.

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The best point yet made in favor of the two-battleship programme was elicited by Assistant-Secretary Roosevelt, to whom five captains in the Navy replied that, in the event of a fight between one *Wyoming* and ten *Oregons* they would prefer to take the *Wyoming* for the quite simple reason that the twelve 50-caliber 12-inch guns of the dreadnaught would greatly outrange the old 35-caliber 13-inch guns of the *Oregons,* and the superior speed of the modern ship of 21 knots, as against the present speed of, say, 14½ knots of the *Oregons,* would enable the *Wyoming* to maintain a distance of ten or twelve thousand yards, well beyond the effective range of the old 13-inch pieces, and to silence or sink the ten *Oregons* one by one, or three or four at a time. In like manner, a really competent Assistant-Secretary of the Navy, such as Mr. Roosevelt has proved to be, could easily sink, though hardly silence, ten Secretaries of the antiquated type.

When our worthy and philosophical Vice-President urges every man to "kiss his [own] wife once a day as an act of good faith" he may not, as he believes, have presented a solution of the divorce problem, but none can deny that he exemplifies devotion to duty in most becoming fashion.

If Colonel Harvey of THE NORTH AMERICAN REVIEW wishes us to keep track of where he is at he ought to bring out the REVIEW in a weekly edition.—*St. Louis Globe-Democrat.*

Why not, now, really?

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TAKING SOUNDINGS

BY DAVID JAYNE HILL

No one familiar with the political development of the United States can entertain a doubt that radical changes have occurred in the ideas and sentiments of the American people. In the December number of this REVIEW one aspect of these changes was briefly considered in an article on "The Crisis in Constitutionalism." Comments received on that subject confirm the impression that this is, in reality, the storm-center of contemporary movements—disclosing a conflict between fixed principles, on the one hand, and spontaneous impulses, on the other, in which the participants themselves do not always fully realize the rôle they are playing or the motives that actuate them.

In the period when our government was established it was the common conviction that there are some individual and personal rights so clear, so undeniable, and so worthy of protection that they should receive the most trustworthy guarantees that could possibly be accorded to them. In this spirit the early State Constitutions were conceived, as, for example, that of Massachusetts, which declared its object to be the establishment of "a government of laws and not of men"; and later the Federal Constitution, as finally agreed upon, the people insisting upon the explicit recognition of these rights in their fundamental law. By this they meant to set limits to every form of governmental power which might ever tend to invade these rights. Thus, for the first time in the history of the world, life, liberty, and property were intended to be placed under the protection of a law so inclusive that it would in the future bind all executives, all legislatures, and all courts.

A high authority in such matters in our country has suggested, with an evident intention of disparagement, that "the Constitution of the United States has been made under

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the dominion of the Newtonian theory"; and adds that the men of that period "represent Congress, the Judiciary, and the President as a sort of imitation of the solar system." "The Constitution," he concludes, "was founded on the law of gravitation," which he considers purely mechanical.

There is truth in this simile; but it certainly does not justify the inference that, since "government is a living thing" and not merely a machine, "it is accountable to Darwin, not to Newton"; for whatever the biologic laws may be, if indeed it be possible to state them clearly, they have not superseded or rendered superfluous the law of gravitation. All living organisms that ever were, are, or are to be have been and will be subject to it; and, however varied, fecund, and marvelous the process of natural evolution may prove to be, we shall forever be obliged to go back to Newton and his *Principia* for an intelligible theory of the universe. In like manner, we shall be compelled to return to the great principles of human justice underlying the Constitution for a defensible theory of the State. We may have changed, but the law of gravitation still controls our footsteps; society may have changed, but the great principles of ethics are its only sure foundation; our ideas may have changed, but the laws of logic, by which alone they may be consistently co-ordinated, still remain unaltered.

Nevertheless, the notion that the present is a Darwinian rather than a Newtonian age is one full of illumination; but this notion does not warrant us in believing that Nature has changed her laws, or that these laws are changeable. It means simply that in our minds the process of change is receiving a degree of attention greater than in the past, and that by centering our thought upon the idea of transformation itself we may be losing sight both of the conditions upon which beneficial changes may depend and the results that may follow from our insistence upon radical action. Although it is true that we live in an age when the evolutionary process has taken a foremost place in our thoughts, it is important to remember that, so far as we know anything about it, it has never been a rapid process, and, in the Darwinian sense at least, has been an unconscious adjustment to natural conditions rather than a swift and purposeful transformation.

It is precisely here that the substitution of experiment for experience presents grave dangers. If we truly wish to be

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wise, or—should that be more agreeable—if we wish to be rigorously scientific, what we should be concerned about is to know precisely why and how our existing political institutions came into being, rather than to engage in the exploitation of extemporized schemes for destroying them. In our country the danger of erring in this matter is greater than in almost any other, for the reason that we have less of the historic sense and more of the spirit of initiative than any other people. In private matters, and even in private associative action, this may be of little consequence; for failure to justify our theories by achievements involves nothing more serious than private loss or disappointment. In public matters, however, the substitution of impulses for deliberate reflection, of unrestrained action for measured powers, and of improvised schemes for settled principles becomes a danger of incalculable magnitude.

Those of us who distinguish between reason and emotion, between reflection and impulse, between world-experience and spasmodic action, believe that a fundamental law forbidding class, sectional, and inspirational legislation is the indispensable guarantee of personal liberty and the necessary basis of true social justice. We are opposed, openly and fearlessly, to those who, for private or alleged public reasons, would ruthlessly sweep it away. We are of the opinion that a non-Newtonian and otherwise undisciplined state of mind is a dangerous one for the well-being of the Republic. We freely admit that there are fewer purely personal motives for defending the work of the past than there are for initiating new and ill-considered schemes of public action. We do not forget that novelty pleases, and that conditions imposed by the past are often felt to be at fault when our misfortunes are in reality to be attributed to other causes. We are aware that those who seek the support and admiration of their fellow-citizens find it to their advantage to offer to them a Promised Land flowing with milk and honey. We realize also that the smug contentment of those who feel themselves beyond the reach of personal harm, and who say in their souls, "After us the deluge," constitutes an absolutely negligible quantity either for promoting needed reforms or resisting public evils. It is from the ethically minded and public-spirited men and women of the country alone that any interest in such questions is to be expected, or upon whom any dependence for unselfish action can be

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placed. And yet it is worth while to take soundings, and to point out to those who have an open mind the perils by which we are confronted, and especially to leave on record for the future the fact that blindness and inertness were not universal in the period of demolition, if such a period shall follow, when the great work of our fathers is to be undone. It may be, after all, when public attention is turned to the facts, that the efforts of our time to wipe out and utterly efface the distinction between a fundamental law and ordinary legislation, and to place absolute and unlimited power in the hands of legislative majorities—or even, perchance, in the hands of popular minorities afforded control by the division of their fellow-citizens over minor matters—may yet be happily averted. But this cannot be, unless the danger is realized and united action is substituted for indifference.

The first and most important reflection to occupy our attention here is the fact that, in the observations of the press and in the private letters that have come to the writer regarding the "Crisis in Constitutionalism," no one has denied that there is a widespread disposition to render easier the modification of the Constitution of the United States; yet no one has cited a single social reform worthy of serious consideration that necessitates a change in our fundamental law, or which cannot be carried into effect without a change. In this case the process of evolution is sought to be facilitated solely for its own sake. In brief, we should change our fundamental law, simply because it *is* a fundamental law, which may some time stand in the way of what a legislative majority may yet be impelled to do.

What is the nature of this contemplated legislation that finds itself obstructed by the Constitution? Strictly speaking, it is as yet too much in the state of fermentation to declare itself distinctly. If some of the purposes in view were clearly articulated, the radical nature of this legislation would be too apparent. The time has not come for a disclosure of its terms. Already the right of transmitting property by inheritance has been brought in question, and the right of the individual to possess more than a certain limited amount of wealth has been denied in high quarters. No one has ventured to draw the line at a definite point, either as respects possession or inheritance; or indicated any principle upon which the line could be drawn, where it

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should begin, or where it should end. The one thing most certain is, that it would not end where it began.

When duly analyzed, it becomes apparent that in the process of social evolution a new conception of social justice has been formed. It has not come into being by any process of reasoning. It is a child of the emotions. Our fathers demanded just and equal laws. The modern theorist replies, "Equal laws, laws which apply alike and equally to all men, cannot be just." What is demanded is not "equal laws" but "laws of equalization." Equality of law merely gives the prize to industry, thrift, enterprise, and economy. It creates differences, and bestows a premium upon strength, skill, and talent. It is essentially aristocratic. It recognizes, promotes, and rewards superiority. It condemns and indirectly punishes incapacity. Under equal laws men cannot be equal. What is demanded is equality of condition. This can be attained only by new laws, laws which will distribute to each from the common stock according to his needs.

Two sophisms underlie this demand. The first is a new theory of the nature of wealth. The idea that the individual creates wealth and may rightly possess it, it is affirmed, is an erroneous eighteenth-century idea entertained by the founders of the American Republic. Wealth, on the contrary, is a social product; and, therefore, rightly considered, a social possession. Value is a relation between supply and demand. It is the presence of others that gives value to our possessions. Without them, there would be no value.

Plausible and seductive as this reasoning may seem, it is plainly founded upon misconception. Society as a whole never yet initiated, conducted, or brought to successful achievement any industrial process or any wealth-producing activity. It is always an individual, or a group of individuals, that does these things. It is, therefore, a wholly unwarranted assumption to affirm that the totality of wealth rightfully belongs to society as a whole. It belongs to those who by their enterprise, industry, and skill have produced it, or who by their abstinence from consuming it have kept it in existence.

The second sophism underlying the demand for unrestrained legislation is the assumption that, since society as a whole is the rightful owner of everything, there exists no individual right that is not based on social permission.

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The origin of this conception of right, considered historically, is evident. All rights and all public powers were formerly centered in the ruler, who could grant them to others according to his good pleasure. When the ruler was a prince, the formula of government was, "The will of the prince is law." Now that the people have become the rulers, the formula has become, "The will of the people is law." The people may bestow and the people may take away, according to their good pleasure. In the passage from monarchy to democracy this conception of sovereign omnipotence has merely been transferred, but it has not been changed. Popular political thinking is still, in this respect, as crude and as fallacious as it was in the Middle Ages.

What constitutional government intended to do was to end forever the idea that there is any rightful depository of unlimited power; in brief, to destroy the error that *any one's will is law*, and to establish the principle that law is not a product of will, but a system of rules for the regulation of will derived from the authority of reason.

The problem which the framers of constitutions encountered was not merely the distribution of power, but the nature of public authority. Whence proceeds the right of an institution calling itself the State to impose its commands upon the individual members of human society? The answer given was, "There is no rightful authority, and no actual authority should be recognized, to deprive an individual of his inherent rights to life, liberty, and property." The State itself is subject to law—to its own fundamental law—by which it and all its organs are bound to respect and to safeguard the inherent rights of its citizens. If it should cease to do that, it would cease to be the State.

It is clear, therefore, that there is an inherent and inevitable antagonism between the idea that legislative power should be unrestricted and the idea of a fundamental law limiting the statutory power.

Let us note, then, the array of avowed purposes actuating radical constitutional changes and pressing for an easier method of modifying our fundamental law. I quote a series of public statements promulgated and advocated by persons more or less highly placed, and in some instances representing hundreds of thousands, and even millions, of supporters:

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The Constitution of the United States was framed by and in the interests of a property-possessing class.

Property is rightfully the possession of society as a whole; when detained in private hands it becomes a permanent reward for a temporary service, or for no service at all.

The pretended right to transmit property from one generation to another is not a natural right.

Corporate properties should be valued according to their present cost of physical reproduction, and may rightly be taken over by the people upon that valuation.

The remuneration of the worker will be determined either by deeds or by needs, as may hereafter be decided; *but most certainly not* upon the basis of allowing him a reward according to the importance of his industrial product.

Employers, as such, have no right to exist. The aim of the employed should be a practice that will enable workers to assume, as the return for their labor, *the full control* of the various industries.

The idea of inalienable natural rights is an erroneous eighteenth-century conception. Men have *no rights,* except what society concedes to them by law.

No court should be permitted to nullify any act of a legislative body on the ground that it is unconstitutional.

Let it not be imagined that these are merely the sporadic expressions of wholly irresponsible persons, or the incoherent mutterings of discontented men. Some of these doctrines have been heard in sermons, some have been clipped from widely circulated periodicals, some have been quoted from serious books, and others are recorded as the solemn resolutions of influential bodies.

If we were engaged in a polemic rather than a merely expository task, it would be proper to specify the sources of these utterances and to make an attempt to refute them; but the present purpose is merely to indicate the elements of the leaven which is at present working among the people and affecting public opinion. If these propositions were merely academic theses designed to illustrate dialectic skill, or innocuous private judgments, like opinions regarding the beauty or meaning of a picture, they might well be passed over in silence; but, on the contrary, they are all of a pragmatic nature, involve the future status and interests of our fellow-citizens, and contemplate legal changes through public action. They supply precisely the kind of materials sought by those who, while aiming first of all at their own self-advancement, desire to appear as the advocates of forms of progress from which their followers may imagine themselves likely to receive a personal benefit.

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Unfortunately some of these proposals assume a close connection with the aims of a pure and high-minded philanthropy which serves to conceal their sordid side and imparts to them a glamour of righteousness which they do not really possess. Our sympathies with poverty and suffering and our antipathy to cruelty and extortion are appealed to, and we are led to believe that nothing can be wrong which brings to terms those who have revolted our consciences by their avarice or inhumanity. We are not, in fact, called upon to spare the feelings of those who themselves spare neither manhood nor womanhood nor childhood in their expedients for extortion. But, on the other hand, we should be very untrue to the cause of humanity, as well as to the cause of justice, if, in our zeal to lift up the downtrodden and to support the weak, we should sweep away the basic guarantees upon which the whole edifice of justice is erected. Loyalty to humanity lays upon us a larger duty than the immediate destruction of some single evil, however monstrous it may seem to us. To cleanse and purify the temple, we do not need to create a conflagration; for, so far as just and needed social reforms are concerned, there is probably not a single one that requires for its accomplishment any radical change in a system of government by which we have progressively exterminated so many evils.

Nor can it be fairly asserted that constitutional government, as understood by our fathers, is of interest chiefly to the property-possessing class—particularly the large property-possessing portion of society. It has never been its aim to protect any particular class to the disadvantage of another; but, on the contrary, to see to it that there be no insurmountable barriers to block the way of human aspiration, with the result that there are few fortunes in our country the foundations of which were not laid by men who once worked for wages. As for the excessively great fortunes, their possessors are the least likely to be affected by any radical legislation, for they will always find a safe asylum in which to meditate upon their woes. It is the wage-earners and the organizers and administrators of wealth-producing enterprises whose hopes are threatened by encroachments upon our constitutional guarantees; for the prosperity of the great mass of our population is dependent upon a mutual confidence that industry will be suitably rewarded and enterprise enabled to prosper. Nothing could so effectively

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check and permanently embarrass the creative forces of the country as the thought that the results of industry and enterprise will be exposed to future expropriation.

What is to become of superior skill or of superior power to organize and manage great industries, if laws of equalization are henceforth to be substituted for equal laws? Old men may placidly fold their hands and say to themselves, "Our work is accomplished, and we shall not be here when the coming cataclysm arrives"; but how are middle-aged men, and especially young men, to regard with equanimity the prospect of unrestrained legislation, based on the assumption that "everything belongs to society as a whole," that "the worker is not to be rewarded according to the importance of his industrial product," that "employers as such have no right to exist," and that "corporate properties"—built up by years of toil and sacrifice—"may be taken over by the people at their physical valuation"?

And what is to insure us against this legislation if the constitutional guarantees are swept away? What prospect have the young men of all classes, especially of the self-dependent classes, if some *imperium in imperio,* some purely voluntary and irresponsible organization within the State, is able to fill public offices with its candidates and through the control of legislative power impose its will upon every form of production, distribution, and consumption?

Is there any disposition tending in this direction? Is there any motive for pursuing it? Is there any power in existence, or likely to come into existence, that can assume full control of the various industries, dictate the hours and conditions of labor, the amount of the product, the agencies through which it shall be distributed, the rewards which each participant shall receive? If such a power came into being, what would be left of individual liberty, and what would be the value of each individual life? Would there be any open market in which a man might dispose of his own energies or his own wares at his own price? Would there be any possibility of existence except upon conditions laid down by the State, or by the *imperium in imperio* that controlled the State, or by the *junta* of persons permitted to wield the power in this machine within a machine?

What, then, becomes of the conception of society as a "living thing," of free citizenship, of personal liberty? And where is to be found the wisdom, the integrity, the

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self-abnegation to give wholesome direction to this mechanism, composed of human beings fitted into wheels and pinions, and consumed to furnish its propelling power? Who would be responsible for that satisfaction of needs, that adjustment of capacities, that restraint of appetites, that stimulation of energies without which such a mechanism would be a mere lump of death?

And what, finally, would be the gain in such a state of human association, when each man proclaimed that the crusts remaining were "common property," withheld by their transient possessors from those who did not possess, with the cry, "We are taking that which is ours, for all is ours so long as there is a crumb!"

Only sporadically and occasionally, thanks to our traditions of respect for law and the constitutional system we have inherited, have we been afflicted with scenes of violence and open revolt, yet they have not been wholly wanting. But the spirit of revolt against the public order secured by our laws and their constitutional guarantees is frequently and very boldly expressed.

> We want to get something for ourselves now, not for our grandchildren,

said a paid propagandist of anti-constitutional principles in a public address recently in a Western city.

> We can't accomplish much under our government [he continued], which is clumsy and impossible, almost hopeless. . . . Under it we can't pass any law of consequence interfering with vested rights. The Constitution, old, musty, and antiquated, is a barrier, with the Supreme Court all powerful. . . . We must get what we want by standing together. Do something radical.

Is there, then, no "crisis" in constitutionalism? Will the foes of the Constitution ultimately "get together"? It is not unlikely. Will its friends also get together? They will continue, perhaps, to group themselves about opposing standards chiefly concerned with minor matters, sometimes unconsciously allied with elements which they must finally disavow, until they perceive that a great menace to society has arisen. Then they will make haste to rally about the Constitution, as their fathers rallied about the Union when the gravity of a situation too long ignored compelled their attention. When will that be?

In the mean time is nothing to be done? The opposition to the Constitution is by no means attributable to the im-

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portation of foreign blood. A high-school graduate, writing from a Western city, confides to me the change that he has experienced. He says:

> My ancestors fought in 1776, in 1812, and in 1860–1865 for the establishment and defense of constitutional government. I entered the workaday world with a high regard for our Constitution and its guarantees and a deep and glowing patriotism. . . . I agree with you, sir, that a crisis is at hand in constitutionalism, and if those who still have faith in it will make some mighty concerted move to enforce its guarantees and fulfil its mandates of abstract righteousness, the situation may yet be saved; but for my part I do not think the number of those who honestly try to enforce constitutional guarantees is sufficient to warrant serious consideration. I, therefore, declare that I have no faith in either the Federal Constitution or its administrators, because neither it nor they secure me anything. . . . Could I do so, I would leave the flag and these hypocritical institutions before another day. . . . There is naught left for me to do save secretly to arm, if yet I may, and await the hour when a Francisco Villa shall arise on this side of the Rio Grande with the cry, "On to Washington!"

And what could possibly happen at Washington that would change this young man's state of mind, or the situation of which his frank expression is an index? What is needed is not so much anything to be done at Washington as something that might advantageously happen East, West, North, and South—a change in the attitude of men toward the idea of law and toward one another. It is always the individual who suffers. We cannot save or help him by any kind of mere class legislation. It is not to his advantage to make him dependent, to abridge his powers of self-help, or to take away his liberty of action so long as he does not injure others. We help him most when we leave him free to pass out of any class to which he may temporarily belong, when we inspire him with the idea of self-dependence, and when we secure to him the possession of what by his industry, skill, or enterprise he may honestly acquire. Let us help him, certainly, if he needs help; but not delude him with the error that more is rightly coming to him than he has ever earned, or frighten him with the dread that he can never come to his own. For sympathy, charity, good example, and unselfish public service there will always be room; but for the suppression of native powers, for public dictation based on arbitrary rules, for the assumption that society is more important than those who compose it, and for the expropriation of success for the relief of failure there is no place in a free republic.

DAVID JAYNE HILL.

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DISTRUST OF STATE LEGISLATURES—THE CAUSE; THE REMEDY

BY EMMET O'NEAL, GOVERNOR OF ALABAMA

At the beginning of the Constitutional era in American history, a decided distrust of executive power was manifested. In the State constitutions of the Revolutionary period there was a marked tendency to enlarge the legislative power at the expense of the other departments of government. All important civil and military officers were elected by the Legislature, and that body exercised many of the administrative and executive functions of the Chief Magistrate. There were no restrictions upon legislative power or competency except such as might be found in the Bill of Rights or Federal Constitution. Madison declared in 1787 that "the Executives are little more than ciphers; the legislatures are omnipotent."

Following that period, students of our State governments will discover a gradual, but steady, tendency to withdraw from our legislatures all their executive and administrative powers and to restore them to the Governor or the electorate. Even before the Civil War, although the Legislature was the regulating and controlling force in most of the State governments, we can but discern in all the new constitutions and all amendments of those in existence an unmistakable manifestation of a tendency to limit legislative power. The reaction toward democracy which swept over the country during the early part of the last century served to curtail the power of appointment both by the Legislature and by the Governor and lodge it in the people.

After the close of the Civil War, distrust of the Legislature became more evident, and since that period this distrust has almost ripened into open hostility. Mr. Lecky states that a growing distrust and contempt for representa-

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tive bodies has been one of the most characteristic features of the closing years of the nineteenth century, and Mr. Dicey declares that "Faith in parliaments has undergone an eclipse. In proportion as the arm of representative government has extended, so the moral authority and prestige of representative government has diminished."

However harsh these criticisms may seem, however much they may clash with our preconceived views of representative government, candor compels the impartial observer to admit that the efficiency and character of State legislatures has been lowered and that general distrust has succeeded what at one time was universal and unreserved confidence. This distrust has in many States grown into open contempt for our lawmaking bodies. In many, if not a majority, of the States, a session of the Legislature is looked upon as something in the nature of an unavoidable public calamity. Business becomes alarmed, industrial development and investment are checked, and there is a general apprehension that the results of the legislative session, instead of being beneficial, will be injurious to the public interests.

Disappointment with the results which our legislatures have achieved has unquestionably created a general distrust, which has found expression in every modern State constitution in numerous prohibitions, restrictions, and limitations on the legislative power. The methods by which the State legislatures have been shorn of their authority and competency may be briefly summarized as follows:

First, we have attempted to lessen legislative activity and to check the ever-increasing flood of legislative enactments by limiting the duration of legislative sessions and making them less frequent;

Second, we have defined and regulated in the most minute details each step in legislative procedure, in order to avoid hasty, ill-considered, badly framed, or unnecessary legislation;

Third, we have undertaken to check the increasing volume of local and special laws by specific prohibitions and by requiring general laws for the protection of local and private interests;

Fourth, we have created a veto power and largely extended its uses;

Fifth, we have provided express limitations on legislative power as to the subject-matter of laws, and have there-

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by opened an ever-increasing domain of judicial construction and controversy;

Sixth, the favorite method of restricting legislative authority, responsibility, and competency is found in the recent tendency to incorporate ordinary legislation in State constitutions—circumscribing by the most narrow limits the extent of legislative power, the means by which it can be exercised, and minute definitions of the organization and functions of the various branches of government—the necessary results of which have been to greatly increase the power of the judiciary over legislation;

Seventh, express prohibition of legislation on certain subjects;

Eighth, by the adoption of the initiative and referendum, not only as to matters of constitutional revision, but the ordinary legislation of State-wide interest.

Yet, notwithstanding these various methods adopted to increase the efficiency and tone of our legislative bodies, we are forced to admit that they have largely failed to improve the legislative output. Local legislation has been lessened, but by various devices legislatures have found ways to evade and nullify the prohibitions which the recent constitutions may have established. Moreover, candor compels us to admit that restrictions on local legislation have in many cases worked unnecessary hardship and have been the prolific source of litigation in the courts. Careful students of the workings of our State legislatures have reached the conclusion that legislative inefficiency has been increased rather than diminished in proportion as legislative power and responsibility have been lessened. It would seem that many of the remedies we have adopted to prevent ill-considered legislation and to protect the public against the baleful influences of special interests have only served to increase the evils we sought to remedy.

The most generally accepted and radical measure employed by the States to relieve and check the inefficiency and corruption of legislative bodies has been the biennial session. In the early part of the nineteenth century, the legislatures met annually, and there was no restriction upon the length of their sessions. Although formerly annual sessions were the common practice, at present only six States allow their legislatures to meet every year. One Southern

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State, despairing of legislative reform, allows its Legislature to meet only once in four years. Another State (Mississippi) has its regular session quadrennially, but provides for a special session every alternate year, limiting legislation to such subjects as may be presented by the message of the Governor.

James Bryce says the American people reason thus: "Since the Legislature is very far gone from righteousness and of its own nature inclined to do evil, the less chance it has of doing evil, the better. If it meets, it will pass bad laws. Let us, therefore, prevent it from meeting." If this argument is sound—if the evils of legislation are incurable—if we who claim to be the leaders in popular government despair of devising any system by which bad laws can be prevented—why, it may be asked, should we take any chances by permitting the Legislature to be assembled at all? Instead of mitigating the evils of legislative activity by making them intermittent, why should we not abolish the Legislature and adopt the suggestion now seriously proposed, of committing the lawmaking power to a commission of experts? These suggestions, which follow as a logical sequence of the evident distrust of legislative bodies, so marked a phenomenon of modern political thought, it has been correctly declared, is rather a humiliating position for a self-governing democracy to take. The whole argument in favor of biennial sessions is evidently based on the assumption that because our legislatures have passed bad laws, have often proven corrupt, have many times flagrantly betrayed the interests of their constituents, and have allowed public-service and favor-seeking corporations and other great industrial enterprises to secure franchises, privileges, and exemptions detrimental to the public welfare, and have converted our lawmaking bodies into agencies of class advantage and personal profit, representative government has proven a failure, and that all efforts to reform or improve conditions are hopeless.

This is the language of despair, and the conclusion is not as correct as it may seem obvious. The corruption and incompetence of many of our legislatures may be admitted; but it does not necessarily follow that the people can never trust their representatives to serve them honestly and efficiently. It does not follow that the whole system should be condemned because many individual legislators have betrayed their

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trust; on the contrary, an impartial study and analysis of the causes of legislative inefficiency and corruption will show that they are due to defective methods of procedure and organization—to the autocratic and dangerous powers invested in speakers and committees—to unwise restrictions on legislative responsibility—to the action of Constitutional Conventions in hedging legislative power with too many limitations, lowering the standard of membership, and discouraging men of talent and public spirit from seeking legislative membership—to the opportunities which our legislative organization, rules, and methods of procedure furnish to machine politicians and political bosses and selfish special interests to acquire control. It will be found that the legislatures have been more corrupt and more incompetent in exactly the same proportion that they have been increasingly deprived of power and their responsibility restricted.

But the chief argument in favor of biennial meetings of the Legislature with limited sessions is that it will serve to check legislative activity and prevent the enactment of unwise, hasty, and ill-considered legislation. No one will deny that in all the States of the Union, with their increasing population, industrial and economic development and wealth, legislation on various subjects is absolutely necessary, and that many laws require revision and modification; but the evil feared, and which it was proposed to eliminate, was the passage and repeal of too many laws, by means of greater deliberation and consideration of all matters of legislation. Yet, paradoxical as it may seem, the remedy has proven to be the chief cause of the evil we have sought to avoid.

If every measure of general importance offered in the Legislature was submitted to the search-light of full and free discussion, if committee meetings were open and full records kept of their action, and the present dark-lantern methods and concealments which characterize such meetings were abolished, it would necessarily follow that many laws which upon their introduction seemingly had the support of a majority of the Legislature and were apparently sustained by public opinion would be allowed by general consent to slumber indefinitely in the files of the committee-room. It being admitted that insufficient time for investigation, inadequate machinery, absence of notice to parties affected, unseemly haste and want of method are the chief causes of bad legislation, how can it be seriously

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claimed that these evils will be cured by adopting the very system by which they are produced or intensified? With what logic or consistency can we advocate a legislative system which produces the very evils which we seek to avoid? Biennial sessions only increase legislative pressure.

The Constitutional Convention of Alabama of 1901, not content with biennial sessions of the Legislature, undertook to carry still further the policy of restricting legislative activity by providing that the Legislature should meet in regular session only once in every four years, and by limiting the time of such session to fifty legislative days. A review of the causes that induced so radical a change, as well as the practical workings of the quadrennial system since its adoption, would not only be instructive, but would serve to show that the quadrennial only intensified the evils of the biennial system.

From the date of its admission as a State till the adoption of the Constitution in 1875, the Legislature of Alabama met annually. The most notable change which was effected by that Constitution was the establishment of biennial sessions limited to sixty legislative days. Notwithstanding the restrictions upon legislative competency and legislative activity provided by the Constitution of 1875, it was found, when the Constitutional Convention of 1901 assembled, that the biennial session, limited to sixty days, had not checked or lessened, but rather increased, the volume of legislative enactments. Hence the Constitutional Convention of 1901, in a spirit of impatience, disappointed by the results of the biennial session, boldly embarked the State upon a new and untried experiment—that of quadrennial sessions of the Legislature limited to fifty days. If intermissions of two years in the meeting of the lawmaking body could not put a stop to excessive legislative activity, it was vainly believed that by increasing the interval from two to four years we could find the panacea for all of our legislative ills. Not only did the framers of the Alabama Constitution of 1901 introduce the quadrennial system, but distrust of the Legislature was further evidenced by narrowing the field of legislative action by increased restrictions upon the methods of procedure in the enactment of laws and by express prohibitions of local legislation on certain designated subjects. Yet, while the prohibitions contained in this Constitution have largely checked the volume of local laws and

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have elevated the tone of the Legislature, it cannot be denied that it has also resulted in largely increasing litigation in the courts, and its provisions have often been avoided by legislative subterfuges and devices.

The principal argument in favor of the quadrennial session was incorporated in the report of the chairman of the committee on the legislative department. It said that, "in view of the prohibition to be placed on the legislative power to pass local laws, there will hereafter be neither a demand nor a necessity for biennial sessions." The report then proceeds to say: "The change is recommended on the additional ground that it will prevent hasty and ill-advised attempts to repeal general laws before they have been long enough in force to admit a fair test of their merits, and it will also conduce, by removing early opportunity for repeal, to mature and careful deliberation by the Legislature."

Unfortunately, these predictions failed of verification by the test of actual experience. The prohibition of local legislation did not result in lessening the demand for general legislation. Instead of preventing, the quadrennial system has proven to be the most prolific source yet devised for hasty and ill-considered legislation. The vice of the system was that it denied the people for four years the right to repeal or revise vicious or unwise legislation. The right of the people to self-government was suspended for four years, and during that period they were forced to endure without remedy the evil effects of any bad laws that might exist upon the statute-books.

The most unmistakable evidence, however, of popular distrust of State legislatures is found in the rapid growth of the initiative and referendum. President Wilson said in 1911: "If we felt that we had genuine representative government in our State legislatures, no one would propose the initiative and referendum in America."

Technically, we have representative government, for the members of the Legislature are elected by the people, under the provisions of our constitutions. Yet we know that in many States, as has been truly said, "the legislatures act under conditions which make them the agents of the special interests rather than representatives of the people." Yet no advocate of the initiative and referendum has ever contended that its purpose was to supplant the State legislature. It was intended, to use an expression of President

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Wilson, more as a "gun behind the door," to be used in an emergency, when the delegates elected by the people had flagrantly betrayed their trusts. The initiative and referendum, therefore, is merely a palliative—a temporary, and not a permanent, remedy. It cannot be substituted for the Legislature, for the people will have neither the time, the inclination, nor the interest to consider the vast mass of legislation which every growing and prosperous State demands. The initiative and referendum must necessarily be confined to those subjects of State-wide interest as to which popular opinion can be ascertained. As Mr. Bryce correctly says, "Whatever may be the advantages, the demerits of the system are evident." It transfers from official lawmakers, acting under the solemnity and responsibility of their oath of office, the function of lawmaking to non-official lawmakers. Moreover, no one can deny that the effect of the system can but result in lowering the tone, lessening the authority, and largely destroying that sense of individual initiative so necessary for efficient legislation.

We complain of too much legislation; yet he has studied the subject in vain who does not recognize that excessive legislative activity is one of the necessary and spontaneous evolutions of modern conditions. An examination of the ever-increasing volume of laws passed in the last quarter of a century shows beyond question that this legislative activity is of modern origin. While local and special laws have increased, general laws have also grown apace. Not only have the codes and statutes of every State been correspondingly increased, but the press is annually pouring forth a still larger body of reports and legal works. This increasing stream of legislation is confined to no particular State in the Union. It is to be attributed largely to the enormous business and industrial development of modern times. To adjust the relations of modern life to the conditions they have created, a vast body of statute-law has necessarily grown up—statutes defining the rights, duties, and liabilities of telephone and telegraph companies, automobiles, wireless telegrams, bicycles, transmission of power by electricity, public-service corporations, and the various inventions of modern times, alone constituting a formidable code of laws. Hence, modern activity in legislation is necessary, that the laws may keep pace with business, material, agricultural, and mechanical development and discovery.

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It is the part of wise statesmanship, therefore, to recognize that modern conditions have enormously enlarged the field of legislative activity, that every State must have a lawmaking body, and that all the remedies we have adopted to secure legislation which expresses the calm and deliberate judgment of the people are intended to reform, and not to destroy, representative government. What our State governments need is, not to sap the Legislature of its powers, but to "reorganize it along simple lines and make it the real organ of public opinion."

Ours is a dual form of government. Our wonderful growth from a mere fringe of States bordering the Atlantic into a great and powerful republic was not due so much to the stimulating effect of the central authority as to the principles of local self-government, under which our States have grown into populous and mighty commonwealths. The State legislatures more directly concern and affect the people than any other agency of government, and it is upon them that we must continue to rely for all the more important measures of self-government. The whole field of law is theirs—the regulation of domestic relations, of employer and employee, the adjustment of property rights, the definition and punishment of crimes, the regulation and establishment of corporations, the entire domain of contract, and the wider domain of commercial and municipal law. It has been truly said that there is one fact that stands out in bold relief in the political history of the world—the fact that central power is not vitalizing, and that to strip the States of their powers and transfer them to the general government would be a fatal blow to our economic and political growth. The lessons of history teach us that those governments which have longest survived and longest enjoyed the blessings of free institutions are the governments which have sacredly preserved and maintained the principle of local self-government. We should not permit our distrust of State legislatures to lead us to the conviction that their reform is hopeless and that our only recourse is their abolition and the adoption of some other system. Let us, therefore, ascertain what are the causes of this distrust of our State legislatures; and, having learned the causes, we will find that they are not fundamental, but can be cured by applying the proper remedies.

One of the strongest objections to our legislatures as now

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constituted is that the members represent only localities and are more concerned in promoting local legislation than in enacting necessary laws for the State at large. Under the system that prevails in nearly every State, the member must be a resident either of the district or of the county. It would unquestionably elevate the tone and character of a State Legislature if a certain proportion of its members were elected from the State at large, regardless of their geographical location. Such a radical change, however, would require amendments of the State constitutions.

It is claimed that there has been a steady decline in the average standard of ability, independence, and intelligence of the membership of our State legislatures. That this is true, students of our government all agree. This decline may be due to some extent to the fact that the Federal Government has been gradually absorbing the reserved rights of the States, that State pride has lost some of its potent force, and that the central government is becoming the Mecca to which we are getting accustomed to look for the realization of our hopes of better government. There is no longer a leisure class in the country. In the South, in ante-bellum days, the ablest men in the State sat in legislative halls. State pride was more vital. The preservation of States' rights was the paramount question of the day, and hence our leading men, with settled incomes and abundant leisure, could afford to give their time and service to the State. Conditions, however, have changed. The present salary in almost every Legislature is utterly inadequate. It would be better for the State to invite free service from her citizens than the miserable pittance she now offers. It is too often the case that the leading candidates are young men just commencing their careers, or professional politicians who hope to find in legislative halls an avenue to political preferment. The reorganization of our legislatures should be accompanied with the payment of salaries sufficient to command the services of the ablest men in the State, and the membership diminished rather than increased.

The methods which prevail in committees have also tended largely to destroy confidence in our lawmaking bodies. In the reorganization of the Legislature we should require that all committee hearings should be open to the public, that a journal should be kept to record the names of all

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who appear in advocacy or opposition to each measure, as well as the votes of every member of the committee. The legislative rules which prevail in some States require a two-thirds vote of either the House or the Senate to recall a bill from a committee. This puts it in the power of a committee to dominate legislation, and to defeat the public will, on important measures. This rule, wherever it exists, should be changed.

Another defect in our methods of legislation is that there is no central responsible authority which can be held accountable for the laws which are enacted. There should be a parliamentary draftsman of skill and experience employed in each State, to whom every bill should be submitted before introduction. However, it would tend to restrict unnecessary legislation if all bills introduced by individual members should be required to be first submitted to a picked committee before being placed on the calendar.

There is but one remedy for this want of responsibility for legislation, and that is to increase the powers and duties of the Executive. As President Wilson has wisely stated, the people demand leadership. They look to the Governor, and not to the individual members of the Legislature, for such measures as the economic or political or social conditions of the State may require, and judge his administration by his success or failure in securing the enactment of necessary laws. Under the Constitution of nearly every State the Governor is a part of the lawmaking power and can recommend to the Legislature for its consideration such measures as he may deem expedient. Eminent authority has held that these recommendations can take the form of a bill, if the Governor should so elect. In revising our Constitutions it would be well to define this power more clearly, to authorize the Governor to present, if he saw proper, his recommendations in the form of bills, and to give these bills precedence in the consideration of the Legislature. It might be well to allow the Governor to be represented in the Legislature, either in person or by some official whom he might designate, with full power to present and discuss the measures presented, but without the power to vote.

Another step forward might be secured by adopting the English system, by which all bills of a local, special, or private nature should be submitted, only after proper notice,

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to a select body of experts, lawyers of training and experience, employed at an annual salary by the State, and whose report, after full hearing of all parties interested, should finally determine whether such bills should be introduced or rejected.

The membership of our legislatures should be decreased, and the practice of giving representatives to each county should be abandoned. With a certain number of the members representing the State at large, the other members should be elected from districts, according to population.

We should abandon the biennial and quadrennial systems, and restore the State legislatures, as far as possible, to their full constitutional vigor. The tendency toward making the Constitution a code of statutory laws, instead of a framework of the fundamental principles of government, should be abandoned. Our constitutions are too rigid, and while the incorporation of statutory enactments in the fundamental law may serve to guard against the follies or caprices of the Legislature, it also puts a check and restraint upon the power of the people to govern themselves. Not only should the biennial and quadrennial systems be abolished, but the limitations now placed upon the duration of legislative sessions should be abandoned, and the members of the Lower House elected every two years. There is less alarm or apprehension in those States which have annual sessions of the Legislature at the convening of the lawmaking body than in those where the biennial or quadrennial system prevails. With abundant time to carefully consider and debate every important question presented, it would be discovered that the legislative output would be diminished rather than increased.

The veto power of the Governor should be extended, and his negative should not be overcome except by a two-thirds or three-fifths vote of the Legislature.

Another evil which should be cured is the tendency to enact the principal volume of State legislation during the closing days of the legislative session. In most of the States the larger proportion of important bills are passed during the closing hours of the Legislature, and all this mass of legislation is at one time rushed to the Governor's desk for his examination. With the limited time allowed by most State constitutions for the exercise of the veto power, it is utterly impossible for the Governor of the State, with his

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other important duties, to give proper scrutiny, examination, and consideration to this large body of bills that pour into his office at one time. It is evident, therefore, that if the executive veto is to be efficient and a check against unnecessary, capricious, or unwise legislation, the time within which the veto power can be exercised should be extended.

The legislative journals furnish very meager information, and it is very difficult by their examination to ascertain the responsibility of each member for the laws that are enacted. The publication, therefore, of a stenographic report of the debates would keep the public fully informed as to the record of each member, and furnish a simple method by which responsibility for each law could be readily ascertained. Publicity is the most efficient remedy for many of the evils of legislative assemblies. Such a publication would tend to make the individual legislator more careful in the discharge of his important duties.

Each State constitution should provide that no member of the Legislature should be eligible for election or appointment to any State, county, or municipal office during the term for which he is elected. Such a provision would tend to confine the attention of legislators to the proper discharge of the duties of their office, and free them from any improper influences the Executive might exert by the use of the appointing power, as well as relieve the Governor from the embarrassment which generally results from applications for appointment by members of the Legislature.

There is no doubt of the fact that in the future the voter will retain a more direct control over legislation than has heretofore existed. The theory that every citizen should be allowed to become a lawmaker, to formulate untried legislative projects or experiments and have them put in force by the affirmative vote of the electorate, is more plausible than practical. The submission of certain general questions as to State policy or organization to popular decision may tend to better government, but it cannot be denied that certain portions of the work of government must continue to be delegated to certain picked and chosen representatives of the people. Notwithstanding all experiments in legislation which may be undertaken by the masses in their primary capacity, it is upon the State Legislature we must continue to rely as the most efficient agent the wisdom and experience

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of men has yet devised for all the processes of self-government.

Foreign commentators have declared that the chief weakness of our State governments is the absence of a centralized responsible authority. Hence, in any reform of our legislative department we may undertake there are but two courses open. We must either subordinate the executive authority to the Legislature, as was done in the early period of American State governments, or enlarge the power and responsibility of the Chief Executive. After an experience of over a hundred years the American people would be unwilling to return to the repudiated system of legislative omnipotence in the executive and administrative affairs of the State. The modern tendency to increase executive power is but the evolution of government—the result of experience and the study of the practical workings of our system.

Under the present system in every State in the Union, any member of the Legislature can introduce any bill on any subject he pleases. In fact, the newly elected member generally believes that the number of bills he introduces is the highest proof of his capacity and usefulness as a legislator. In the German Reichstag it requires a vote of fifteen members to introduce a bill that does not come from the Government. It might be claimed that any restriction of the right of the member to offer as many bills as he pleases would be trenching upon his functions and privileges as a representative of the people. Yet, at least, he should be required to furnish with his bill a memorandum showing what organization or interest suggested it, the purposes sought to be accomplished, and a brief statement of its provisions, as a condition precedent to its reference to a committee. It has been suggested that the establishment of a schedule of legislative fees to be paid to the State Treasurer for the privilege of introducing bills, especially of a private or local character, would largely tend to check the passage of vicious or unnecessary laws.

The great mass of bills introduced into our legislatures are generally inspired by some private interest—some favor-seeking corporation—and really seek to secure some exemption, privilege, or franchise for partisan or private gain. Some bills are suggested by the Governor or some body of reformers, but the mass of such bills are generally imposed upon the Legislature by outside sources inspired by per-

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sonal interest. The Constitution of Alabama allows the Governor the power to amend any bill submitted for his approval. The amendment is in the nature of a veto. He returns a bill without his approval, but states what amendments would remove his objections. The House to which it is sent may pass the bill as so amended and send it with the Governor's message to the other House, which may adopt but cannot amend the Governor's amendment; and both Houses concurring, the bill as amended is sent to the Governor for his approval. This is a most important and far-reaching power. If a bad law is passed, the Governor is generally held responsible at the bar of public opinion, and hence he should be armed with this power to amend, by the provisions of every State constitution, and his amendment should not be overcome by less than a two-thirds or three-fifths vote. This increase of the power of the executive would tend to better legislation and make him directly responsible to the people for the laws enacted during his administration.

After a careful review of the causes which have created distrust of State legislatures we can but reach the conclusion that these causes can be removed; and that, while we are apt to grow impatient and to despair of legislative reform, we can but recognize that by annual sessions, by the payment of adequate annual salaries, by reform in our methods of procedure, by decreasing the membership of our legislative bodies, by removing from a portion of the membership the narrow and provincial prejudices which the present method of election from counties or districts creates, by enlarging the veto power of the Governor as well as his responsibility and power to mold legislation, we can increase the sense of legislative responsibility and elevate the standard of efficiency of our lawmaking bodies. We should not despair. There are no problems of government which the genius and intelligence of the American people cannot solve. Every State must have a lawmaking body. "A government must have organs; it cannot act inorganically by masses." We should not forget, while the average Legislature in many instances has forfeited public confidence, has made many blunders and mistakes, that, looking back over the history of the States since the organization of the government, we will find that their statute-books are replete with wise and beneficent laws, under which their growth, advancement, ma-

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terial and social development have been without precedent.

If State constitutions stand in the way of necessary reforms, let those constitutions be amended. Let no narrow spirit of conservatism check us in our efforts to make our State governments more efficient, more responsive to the calm and deliberate judgment of the people—governments which not only establish justice and insure domestic tranquillity, but which secure the blessings of liberty regulated by law. We should seek to restore the legislative department to its full constitutional vigor as one of the most important of the co-ordinate departments of government. We should not undertake to abolish, but rather to reform, our lawmaking bodies. We should seek rather to elevate the tone of our legislatures, to increase the ability and character of their membership, to remove the causes which have created public distrust, to strike off all unnecessary shackles on legislative action, and to make our State legislatures what they were intended to be—deliberative assemblies, not timid or vacillating, swayed by every temporary breeze or popular clamor, but one of the most important of the co-ordinate departments of government, jealous of their powers, preserving the freedom of debate, allowing ample time for deliberation, investigation, and public hearings, ready and willing to assume every responsibility imposed by the Constitution, wisely progressive, but not embarking the State upon every "half-baked" legislative experiment, representing the thoughtful opinion of the people, composed of men uninfluenced by power and lust of office, engaged in the serious affairs of State concern, and in whose judgment, patriotism, and wisdom we can once more repose perfect confidence. With legislatures so constituted, the public-spirited and energetic men of every community would eagerly seek legislative service, and the State legislatures would become what our fathers designed them to be —"sensitive and efficient instruments for the creation and realization of opinion," which is, after all, the real purpose of constitutional government.

EMMET O'NEAL.

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REPUBLICAN-PROGRESSIVE FUSION IMPOSSIBLE

BY MEDILL McCORMICK

FORMER JUDGE GROSSCUP'S argument for Republican-Progressive fusion published in the March number of THE NORTH AMERICAN REVIEW should be supplemented by a consideration of the difficulties of organizing a party representing the elements comprised in the Progressive and Republican parties of 1912.

The American system of government and the elaborateness of our electoral machinery make political coalition and political fusion more difficult here than in other countries. The election of a single executive tends, first to hold men of varied views within uneasy party bonds, but, secondly, to prevent the organization of parliamentary coalitions such as are common in continental Europe, and such a one as today supports the British Government.

For this reason, during a long period, men holding almost irreconcilable opinions joined in Republican conventions, wrote themselves down in the Congressional Directory as Republican, entered Republican caucuses, just as Mr. Wilson and Mr. Sullivan, Mr. Bryan, and Mr. Taggart, Mr. Brandeis, and Mr. Murphy are among the conspicuous leaders of the Democratic party.

This difference among Republicans found its first expression through the Insurgent group in the House, and later through the united action of the progressive Republican group in the Senate.

The campaign for the Republican Presidential nomination which followed, was but the logical outcome of the split in the House and the Senate. The personalities of two men could not have aroused the interest and the passion which marked the primary fights in Illinois, Ohio, Pennsylvania,

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Massachusetts, New Jersey, and elsewhere, nor could they have been the sole cause of the events in the Republican National Convention of 1912, the organization of the Progressive party, and the nomination of Progressive candidates for State and Congressional offices in 1912. We hear, of course, that Mr. Prendergast, who did not receive the Progressive nomination for Governor of New York in 1912, has gone back to the Republican party. We hear, likewise, that Mr. Walker, who was the Republican candidate for Governor of Massachusetts in that year, has transferred his allegiance to the Progressive party. In West Virginia the Republican State Committee and part of the Progressive State Committee seem to have decided upon common action within the State "without prejudice to separate interests in national politics." But, on the other hand, in Oklahoma, Nebraska, and South Dakota steps have been taken for the first time to organize the Progressive party as a separate political entity, with candidates for all offices for which partisan nominations usually are made.

In 1912 the nomination of Congressional candidates on the Progressive ticket was the exception. In 1914 Progressives will be nominated for Congress in all districts where nominations are made by both old parties, and in some districts in the South where Republican nominations are not usually made.

Forty of the Republican National Committeemen (whom Progressives believe defrauded them of the right to nominate a candidate and to write a platform in 1912, or whom Republicans believe preserved the party from capture by the radicals) remain members of the Republican National Committee. The Progressive National Committee is composed chiefly of men who bitterly, but unsuccessfully, resisted the action of this same Republican National Committee in 1912.

The indications are, then, that there is a more complete organized difference between the two parties in 1914 than there was in 1912.

Judge Grosscup suggests that the Republican National Committee call a joint convention of the two parties in 1916, and that in States like Illinois, Pennsylvania, and New York "some well-known man of liberal tendencies . . . come out for the nomination for Senator at the primaries of both parties." His proposals are based upon the assumption that it will be possible to draft a political programme upon

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which Republicans and Progressives can be united. There are two obstacles in the way of the consummation of Judge Grosscup's proposals—the present legal constitution of the parties and the widely divergent views of many Republicans and many Progressives. Although he be learned in the law, Judge Grosscup forgets that in his own State of Illinois no one may be a candidate in the primaries of two parties or the nominee of more than one party. This is true in the majority of States in which primaries are established by statute. The legal organization of parties during the last decade did not contemplate the creation or existence of a new party of the first importance, nor the possibility or the desirability of fusion. The lack of party flexibility in many States prohibits not merely the nomination of candidates for the Senate along the lines suggested by Judge Grosscup, but affects the constitution of national conventions and the election of delegates thereto. Delegates to national conventions to be elected in legal primaries, in States like California, Massachusetts, Ohio, or Illinois, must first become candidates before the people in the primary election established by statute, and in such primaries avow themselves to be candidates, belonging to a regularly recognized party, proposing to nominate a certain named aspirant for a Presidential nomination. A Republican-Progressive or a Progressive-Republican convention, called by the Republican National Committee, as Judge Grosscup would have it called, would have to include *two sets* of delegates thus separately elected as Progressives and as Republicans, or it would have to be composed of delegates whose original popular mandate came from local *mass* conventions.

Not to be hypercritical, is it probable that Progressives would care to engage with Republicans in a contest for delegates, elected by mass conventions, while the memory of the disposition of the contests of 1912 by the Republican National Committee still lives?

But let us assume that, although there will be no candidates for conspicuous offices in 1914 nominated by both the Progressive and the Republican parties, and although the difficulty of assembling delegates of both parties in a common national convention is apparently insurmountable, the technical means for bringing together such representative delegates can be found. Their coming together would be for the purpose of uniting upon a Presidential and

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a Vice-Presidential candidate and of adopting a common platform. Before we consider their differences in programme, I ought to point out that in a recent article Mr. Taft said that the chief object of the Republican party should be to defeat the Progressive party, and that some time since Mr. Roosevelt said that the condition of amalgamation must be the political banishment of the leading members of the Republican National Committee and the adoption of the Progressive platform by the Republican party. It may be said that the views of the two Presidential candidates should not be controlling, but confessedly they are representative of elements within the two parties.

What then can be found in the two platforms as a basis for political union? What, if any, are the irreconcilable differences between the Progressive and the Republican platforms?

Judge Grosscup's purpose in proposing fusion is to organize a "fighting opposition" to the Democratic trust programme and to check the political radicalism toward which he feels certain extreme Progressives would lead us. He sees in the Democratic trust programme now under consideration in Congress an attempt to enforce a return to unrestricted competition which will bring upon us grave financial depression, because it is incompetent for purposes of modern production. He does not say specifically what trust programme would unite Republicans and Progressives. His article, doubtless, was written before the recent epistolary exchange between Senator Borah and Mr. Perkins, but even so, it is possible that he has in mind a system of regulated competition and regulated co-operation for which President Van Hise of the University of Wisconsin is the principal spokesman. One may disagree with Mr. George W. Perkins that the Steel Corporation can be defended successfully before the bar of public opinion and still hold that under government supervision, through a powerful commission, there can be co-operation between corporations and between men in trade-unions, of benefit to the public as well as to the unions or the corporations.

Let us, for the sake of argument, assume that it will be possible for a majority of the opposition to Democracy to agree upon such a trust programme as alternative to Mr. Wilson's.

It was the Aldrich tariff bill which precipitated the re-

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bellion against the controlling organization of the Republican party. It is certain that within a generation we shall not see another " robber " tariff. Republicans and Progressives alike are opposed to the actual Democratic tariff, and although they differ as between the two parties and as between the localities which they represent regarding the degree of protection desired, yet it is conceivable that Republicans and Progressives could unite in a demand for more protection than is afforded by the Underwood law, to be secured only after investigation and report by a competent and non-partisan tariff commission. Doubtless the two parties now could unite in a hearty condemnation of the Democratic civil service record, alike in its diplomatic and domestic appointments. Doubtless they could unite in reprobation of its Mexican and Philippine policies. But could they unite on the economic and political reforms which first were widely agitated in the last campaign? Could Mr. Taft's followers, horrified at the suggested recall of judges and of judicial decisions, find common ground with the advocates of these profanations of the judiciary? To be sure, Senator Crawford of South Dakota is running for a renomination in a Republican primary, upon a platform demanding the recall of decisions. To be sure the recall of decisions has been approved by a Republican convention in Oklahoma, and has been incorporated in the constitution of Colorado. The recall now is applicable to the judiciary in Arizona, California, Oregon, and Washington. But is it conceivable that Mr. Taft and his horrified following would ever consent to an approval either of the recall of judges or of decisions? There would be a difference of opinion over the Progressives' purpose to make easier the amendment of the National Constitution, almost as sharp as that over the principle of the recall, and this would be true of the whole Progressive programme for democratizing governments, State as well as National, whether through the extension of primaries or through the adoption of the initiative and referendum, although Progressives, generally, are prepared to adopt measures to protect the use of the initiative as suggested by the experience of some States in which the initiative has been abused.

Of the five or six devices which the Progressives propose for rendering American government more responsive, and therefore more responsible, the short ballot is the only one

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which would not arouse sharp contention between a majority of the conspicuous members of the Progressive and Republican parties.

The political programme of the Progressives has for its purpose, of course, the adoption of an economic programme which in the past has been obstructed by the control of governmental machinery by interests opposed to drastic economic reforms. The economic struggles of the last twenty years have raged about the currency, the tariff, and the trusts, but for the time being the currency almost wholly, and the tariff to a considerable degree, have ceased to be contentious matters of the very first importance, the Progressives holding that the settlement of the trust problem by no means reaches the root of the economic troubles of the country. Like the Democrats, the Progressives demand an income tax. They believe in its graduation, but, unlike the Democrats, they advocate an inheritance tax, in addition to an income tax, not merely for the purpose of raising revenues, but to discourage, if not actually to prevent, the transmission of swollen fortunes from generation to generation. Unconsciously the Progressives have absorbed, by way of the British Liberals, some of the economic philosophy which Germany for a generation has been learning from Schmoller and Wagner.

Under the head of " Social and Industrial Justice " in the Progressive platform there are some twenty-three planks, to which ought to be added one or two others found elsewhere in the platform. A study of those planks shows that it was the purpose of the Progressive convention to secure legislation which would make the working masses, whether engaged in farming or industrial labor, better off—not merely absolutely better off, but relatively so. For this reason Progressives declared, for example, for industrial insurance, of which the burden should be borne by the industry, this insurance to protect the worker against poverty in old age, sickness, and irregular employment. There were declarations, too, for limitations of the hours of labor, for the improvement of the condition of working-women, for the establishment of a minimum wage for women, and for the prohibition of the labor of children. There was a demand for State aid to farmers. Together with these there was an unequivocal declaration that the power of the National Government should be invoked where the authority of the State

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was inadequate to meet the problem, and that if need be there should be Constitutional amendment to confer upon the National Government the powers necessary for such a purpose.

Democrats, misrepresenting the attitude of Progressives in regard to monopolies, and Republicans, seeking to misrepresent them regarding the democratization of government, to a very considerable extent focused public attention on the trust question and on the mooted recall of judicial decisions. Thus it was that too little attention was directed to the social-economic programme of the Progressive party, which involves not merely a wide extension of the field of National legislation, but also an invasion not only of a field hitherto occupied by the State, but a field in which the individual hitherto has been free from any State intervention.

The far-reaching consequences of these proposals has not been appreciated. For the first time a National party has put forward a programme of immediate and searching interest alike to farmers and to urban workers who do not own their own businesses or who are business men in a very small way. Europe is familiar with the radical legislation proposed by the Progressive party, but a certain element in American political and commercial life is shocked by what seems to it an almost revolutionary programme. Many politicians have been inclined to believe that " social and industrial justice " was merely a fine phrase to touch the sentiment of the people, but that there were no new reasons why it should now make an especial appeal to the electorate.

There are to-day about two million children employed in the industries of the country, and the child-labor legislation, say of Wisconsin and Massachusetts notoriously, encourages the establishment of mills in the Carolinas and Georgia, where such labor is permitted. There are in the United States seven million or more women who earn their own livelihood. Over one-half the persons in the United States who are engaged in gainful occupations (not members of families living on farms) are in the employment of others. The earnings of an average American family (of which two members are employed), are less than eight hundred dollars a year.

It is estimated that during a part of the last winter there were in the great cities of the country over half a million men idle through no fault of their own.

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Rubinow, in his great work on social insurance, says that a third of the aged people north of the Mason and Dixon line and east of the Rocky Mountains are the recipients of military pensions, so that already a large proportion of the aged in America actually enjoy old-age pensions.

Excepting only the figures regarding the number of persons unemployed and those receiving pensions, all these figures may be roughly halved to represent conditions twenty years ago. In this short time the United States has undergone an industrial change which has produced here social conditions like those of Europe. Families living only three days from want, families which must regard the unemployment or sickness and the old age of an individual as a calamity for the whole family, are far more concerned about governmental provision to lighten the burden of sickness and of old age, to mitigate the hardships of unemployment and to diminish its likelihood, than they are in the remoter economic problems which hitherto have interested the country. Unemployment is as much a National problem as is that of child labor. If the authority of the National Government need be invoked to abolish child labor, so must it be invoked to fix the conditions of certain classes of labor for women. Will Mr. Rockefeller, who contributed to the last Republican campaign fund in New York State, will Mr. Brandegee of Connecticut, or Mr. Sherman of Illinois, will Mr. Sterling of South Dakota, or Mr. Penrose of Pennsylvania agree to the "invasion of the rights of the States"—to Federal control of conditions of employment, called for by the Progressive programme? Or will Progressives like Governor Johnson of California, Mr. Parker of Louisiana, Mr. Beveridge of Indiana, Miss Addams of Illinois, and Colonel Roosevelt in New York abandon that programme in order to join in a "fighting opposition" to the economic philosophy of President Wilson—abandon the programme to some other men and women who are prepared to put it forward in the interest of the majority, which works for hire, for a living? I venture to suggest that Progressive abandonment of these proposals is as utterly improbable as Progressive abandonment of the campaign for the initiative and for Presidential primaries.

I would suggest that a second schism within the Republican party at present appears as likely as a successful union of the Republican and Progressive parties through

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such a plan as that proposed by Judge Grosscup. Already the Republicans of South Dakota and Oklahoma have embraced Progressive apostasies. In Maryland and Michigan they have adopted many of our heretical beliefs. The differences among those who still call themselves Republicans are represented by the men conspicuous in the councils of the party—Mr. La Follette and Mr. Barnes, Mr. Penrose and Mr. Cummins, Mr. Guggenheim and Mr. Bristow, Mr. Smoot and Mr. Borah, Mr. Gronno and Mr. Taft. Some of them make no concealment of their hope that Theodore Roosevelt will be the Republican nominee in 1916, while others profess to believe that he is the arch-enemy of our Constitution, of our liberties, and of our prosperity. These irreconcilable elements cannot continue to share the leadership of a party. One must control at the cost of the other. In pursuing an independent course Progressives are not only actuated by devotion to the platform which they adopted, but also by the belief that the Republican party under its present divided leadership cannot frame and carry into law a constructive and progressive programme. They feel, too, that the time is not far off when the questions of Nationalism and of social legislation will divide the Democracy. They continue along their own path in the belief that their numbers will be augmented by recruits from the Democratic as well as the Republican party. On the other hand, if Mr. Taft represents those Republicans whose nominee he was in 1912, they are not only bent on the defeat of the Progressive programme, but expect to remain in the minority until 1924, supporting his concept of our proper constitutional and economic development.

MEDILL MCCORMICK.

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THE NATIONAL CONSTITUTION WILL ENFRANCHISE WOMEN

BY IDA HUSTED HARPER

Is there any class of male citizens in the United States that would be willing to allow all other classes to pass upon the question of its enfranchisement and acquiesce in the result? To put the question in more definite form, would the Catholics consent to allow the men of all other or of no religious denominations to decide by balloting whether they should have the franchise and be themselves debarred from voting at this referendum? Would Protestants accept such a referendum to Catholics, or the Jews to the two denominations? Would the property-holding classes submit to the decision of the wage-earning classes, or the native-born to that of the foreign-born, or *vice versa?* Men of all classes consider the suffrage as "the right protective of all other rights," and they would never consent that their possession of it should be decided by other men, no matter what their qualifications for deciding wisely and justly.

This, however, is precisely the condition imposed upon the women of the United States, that while they possess exactly the same citizenship as men, they can have no voice in the Government until a majority of men give their written permission at the polls. Their disadvantage is much greater than would be that of a disfranchised body of men, for, added to the reluctance of any class to share its power are the tradition, prejudice, and custom of the ages opposed to granting women any civic or political recognition. The constitutions of the States were made by men alone; they gave the vote only to "male" citizens; women cannot be included except by amending the constitution. It can be amended in but one way; the Legislature, composed entirely of men, elected by men only, must submit the amendment to

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an electorate consisting wholly of men. On their decision rests absolutely the enfranchisement of women.

This vesting in the State the complete control of suffrage rights was only secured after a contest in the convention which framed the National Constitution so long and bitter that the not over-religious Benjamin Franklin had to call for prayers! Many of the ablest members were determined that this document should prescribe the qualifications of voters, and the final result was a compromise which left it silent on the question. This passed then to the jurisdiction of the States, which limited the franchise to "white males" and imposed various educational and property tests. These were gradually abolished, and new States did not prescribe them, so that by the middle of the last century there was practically universal suffrage for white men. At this time began the organized movement to obtain the enfranchisement of women, and its supporters had no thought of any other method than the slow and difficult process of amending the constitution of each State.

Such was the situation until after the Civil War and the adoption of the Fourteenth Amendment to the National Constitution in 1868 and the submission of the Fifteenth in February, 1869. Then, to their great joy, the advocates of woman suffrage learned that a new class of voters could be created by a National amendment, which seemed to offer far speedier success than what then seemed the almost hopeless task of changing State constitutions. A meeting was called in New York City in May, 1869, and, under the leadership of Elizabeth Cady Stanton and Susan B. Anthony, with representatives present from nineteen States, the National Woman Suffrage Association was organized for the special object of securing an amendment to the Federal Constitution. Miss Anthony and Mrs. Stanton the preceding January, had obtained a hearing before a Senate committee in Washington, and from that time until the present delegates from that association have appeared before committees of every Congress to urge the submission of a National amendment to enfranchise women. At first the prospect seemed favorable, but soon there arose complications in connection with the Fourteenth and Fifteenth Amendments, which have continued to increase and to intensify the feeling against any further interference with what is regarded as the absolute right of the State to decide upon its own electorate.

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The leaders of the movement were forced to recognize the fact that there was little hope of Congressional action until a considerable number of States had first granted the suffrage to women, and so they began the long series of campaigns for this purpose which have continued, without ceasing, for over forty years. There is not space here to go extensively into details of such campaigns, but they must be briefly considered in order to show the immense advantage of an amendment to the National Constitution. In some States a resolution to submit an amendment requires only a majority vote in both Houses of the Legislature; in others a two-thirds vote, and in others it must pass two Legislatures. As most of them meet biennially, over two years' time is required, and if it fail in the second Legislature the work must begin again and a second body of members be persuaded. The tossing of this measure from one House to another and from one Legislature to another has been kept up in some States for more than a generation; in others no amount of effort has succeeded in obtaining any action, and women have persistently been denied their one chance. This is the only question ever sent to the electorate on which those who are most interested are not allowed to vote, and the only one whose advocates have no claim on legislators as constituents, and can make no offer of reward in votes or political influence. The opponents are fully equipped in all these respects, and in addition are practically unlimited as to finances.

That the women ever succeed in carrying their case to the voters is surprising, and often it is only because their defeat at the polls seems certain. There is no record of how many times they have failed with Legislatures, how many thousands of dollars, how many years of toil they have expended in vain. When they do succeed consider the task that lies before them, with no funds except what they beg or earn for all the unavoidable expenses of a campaign—transportation, halls, printing, postage—and the most of the service necessarily to be rendered by volunteer workers. From 1870 to 1910 over twenty such campaigns had been made, and they had been successful only twice—in Colorado in 1893, and Idaho in 1896. (Wyoming and Utah had entered the Union with woman suffrage in their constitutions.) Forty years the women pleaded with the individual voters—Indians, negroes, native-born Orientals, and naturalized men

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from every country on earth; the drunken, the dissolute, the criminal classes; the keepers of saloons, gambling-rooms, houses of ill repute; the party "bosses" and the ward-heelers—all the elements that make up the great electorate which hold the political liberty of women in the hollow of their hands—and the total result was the enfranchisement of a few thousand women in two sparsely populated States! This must go on and on for an indefinite number of years, until a victory has been gained at this terrible cost in nearly forty more States, if the opponents of a National amendment can have their way. One generation of workers for woman suffrage has passed from earth, and a second has grown white-haired in the contest. Two more will pass away before it will be gained through a referendum in some of the States.

The many defeats have not been due so much to the actual opposition of a majority of the individual voters as to the sinister influences that dominate politics. If these could be eliminated there are not many States where a majority of the men could not be persuaded by the women to give them the suffrage, but a fair campaign is an utter impossibility. The three strongest forces in the political life of the nation are marshaled against the enfranchisement of women—the corporations, "trusts," railroads, even down to department stores, taken as a whole; the so-called liquor interests, manufacturers, wholesalers, retailers, those who furnish supplies of all kinds, and the allies of the business, gamblers, keepers of dance-halls and wine-rooms, purveyors to the social evil. All of these furnish money and votes in every campaign, and the agencies through which they act form the third force—*i. e.*, the party "machines." The reasons for the opposition of the last two are so obvious as not to need explanation. The employers of labor do not want the working-classes to obtain any more political power; they object to the influence women voters would have over factory inspection, child labor, hours of work, the conditions surrounding women wage-earners. The manager of a large department store gave a thousand dollars to a women's Anti-Suffrage Association in a recent campaign. The corporations are not willing to double their contributions to State campaigns, neither do they want a class of voters who cannot be "influenced," and they object to Legislatures elected by that kind of constituents. These forces have long had the

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political situation well in hand; they are opposed to a change and, most of all, to the revolution apt to be produced by woman suffrage. Usually with little difficulty they have prevented Legislatures from submitting the question; if it has slipped through, the party machinery has been set to work to defeat it, and in several States where it has carried in spite of everything, it has undoubtedly been counted out by connivance of both parties.

This is but a brief and superficial résumé of the conditions which women have to meet when they try to get the suffrage by having State constitutions amended, and which will prevail in many of the States for a long time to come. It is an intolerable situation, one to which no other country subjects its women in their effort for enfranchisement, and it seems incredible that American men should wish it to continue. Now in palliation of their attitude they point to the succession of victories within the last four years—Washington in 1910; California in 1911; Oregon, Arizona, and Kansas in 1912; Illinois in 1913—and one would suppose the ballot was handed to the women of those States on a silver salver. On the contrary, the limited franchise granted by the Legislature of Illinois was the result of twenty years' continuous effort with every Legislature. At once the law was carried to the Supreme Court, and even if declared constitutional it may be repealed by any succeeding Legislature. Before the suffragists began trying for this measure they had worked for the full franchise since 1860. The women of Washington had voted for three or four years in Territorial days; been disfranchised by an unconstitutional decision of the Supreme Court; struggled through a hard campaign in 1889, and been defeated, struggled through another in 1898, to be again defeated.

The women of California began working for the suffrage in 1868; made a very extensive campaign of nearly a year in 1896 for a State amendment, and lost; kept up the organized work for sixteen more years, and then by herculean effort managed to get a majority vote of about 3,500. It was the same in Oregon, where organized work began in 1870; State amendment campaigns were made in 1884, 1900, 1906, 1908, and each time ended in defeat, once undoubtedly through counting out. Finally, when the victories in Washington and California made it inevitable that an amendment would win, the Legislature refused to submit it! An initia-

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tive and referendum law had been enacted, and the women began the weary tramp through the State to secure the necessary signatures. They succeeded, made a strenuous campaign, the amendment was carried, and their forty years' effort was ended. This experience was duplicated in Arizona, where the Legislature refused absolutely to send the question to the voters, and the women had to spend months of labor getting signatures to the initiative petition. Other months were given to the hard work of the campaign and finally the amendment was carried. Even in Kansas, always most liberal of States in its laws for women, the franchise was granted only after three campaigns, the first in 1867. And yet one often hears that woman suffrage is coming as rapidly as it should be desired!

The direct cause of the enfranchisement of women in all these five States was the "insurgent" movement in politics, the uprising against the control of Legislatures and elections by "vested interests," its leaders believing they could hold their ground with more certainty if they had the support of women voters. In 1912 and 1913, however, came the tremendous defeats in Ohio, Wisconsin, and Michigan, and to every one who holds that women should look to the States for their suffrage is recommended a study of those campaigns. No measure could have survived the forces that were massed against this constitutional amendment, and they will be used with the same power in every Eastern State. The political reform of the West does not prevail in the East to the extent of bringing suffrage on the crest of the wave—it will break upon too many barriers. Not even in the remaining Western States is it strong enough to assure the success of the pending suffrage amendments, which at the general election in November will go to the voters of Nevada, Montana, North and South Dakota, and Nebraska.

In Nebraska no pressure could obtain from the Legislature the submission of an amendment, and the women had no recourse but the initiative law; so all through the inclement winter months they have canvassed every county in the State and at last have obtained forty-two thousand five hundred names of voters. Now they have a long, hard campaign before them. An amendment has been once defeated there. The women of Nevada had to run the gantlet of two Legislatures and are now trying to reach the voters in

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the almost inaccessible mining districts, up in the mountains, out on the plains. In the other States they have been organizing and canvassing for years. It is almost impossible to carry an amendment in North Dakota, as a majority of the highest number of votes cast at the election is required, but there is no other way of getting the suffrage, so the women will try. In South Dakota an amendment has already been defeated three times, but the women will make another attempt. In all these States the liquor interests are sending openly through circular letters and in their official organs appeals to dealers throughout the country and demands upon their national associations for help in defeating the woman suffrage amendment. In response money and influences of various kinds are being poured into each State. Against these forces the women, with practically no money except individual contributions and no help except from volunteer workers, are trying to win, relying principally upon the churches and the labor-unions.

Even now in Ohio, after the women had raised and expended fifty thousand dollars and many hundreds had worked without ceasing for more than a year, only to meet a heavy defeat, they have begun all over again, raised another fund, and started to canvass the whole State for the one hundred and thirty-six thousand names of voters to a petition for a second submission of the question, and then the long campaign must be made over again. In New York one Legislature has voted to submit an amendment, and, in order to create a public sentiment which will compel a second to indorse this action, thousands of women are speaking and organizing and raising money throughout the State. If they succeed, then another great campaign must be undertaken to secure a majority of the voters. This is the situation also in Pennsylvania, New Jersey, Massachusetts, and several other States.

These concrete cases have been cited to illustrate the unparalleled hardships to which women are subjected in having to make these State campaigns. As the result of sixty years' strenuous effort they can point to nine States where the complete franchise has been gained! They never will cease from the struggle until woman suffrage prevails in every State—this is an accepted fact—but think what this will mean in the years to come! North, South, East, West, countless thousands consecrating to this quest for the ballot

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the splendid energies that are so urgently needed in the social, civic, philanthropic, and religious work of the community. Every man who says, "This is a question for the States to decide," issues the summons for new recruits, and in a short time there will be an army of women in every State "enlisted for the war." Southern men especially have felicitated themselves that with this slogan they could put off indefinitely in their section of the country the enfranchisement of women, but the question is already at their doors. It needs only a few more experiences like those of the past year or two, when suffrage amendments to the State constitutions, asked for by the flower of Southern womanhood, have been rejected by the Legislatures of Maryland, Virginia, South Carolina, Florida, Mississippi, Louisiana, Texas, Arkansas, Missouri, and Kentucky, to show the women of the South the transparency of this States'-rights doctrine. They must look to the voters of the State for the suffrage, and yet no Southern Legislature has ever permitted, or apparently intends to permit, the voters to pass upon the question!

The advantages of a National amendment are enormous. From the time it is submitted women are freed from the humiliation of personal appeals to the individual voters and can concentrate their efforts on the Legislatures. While not all of the members are representative of the highest citizenship, the lowest is not usually found among them, and their number is very small compared with the number of voters. Always there are legislators of character and ability, and among these would be many allies. What work should be necessary in the constituencies for the sake of influence would be easy and pleasant compared to the exacting and endless demands of a State campaign. The danger of fraudulent votes, stuffed ballot-boxes, and counting out would be avoided. It would not be difficult to discover the power behind hostile legislators and find a way to overcome it, or they could possibly be relegated to private life. It would be a work of time, but of much less time than to obtain from a Legislature, or perhaps two, the submission of an amendment and then secure a majority of the voters in the State—more than a million and a half in New York, for instance, and about a million and a quarter in Pennsylvania.

It is inconceivable that any man who really believes that the suffrage should be granted to women, and who possesses

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the true spirit of chivalry, should want to subject them to the publicity, toil, and sacrifice of a State campaign when there is an easier, speedier, and more dignified method; and it may be accepted that the vast majority who hold out for the States'-rights plan are not in favor of woman suffrage through any process. "The State must decide on the qualifications of its own voters," they say, but the State never has done so, only the men of the State. In very few States north of Mason and Dixon's line are there any qualifications, except that the voter must be a citizen, neither insane nor imbecile, and of the male sex. The States'-rights doctrine applied here means simply that the men of the State shall have the absolute right to say whether the women may have the suffrage, a doctrine contrary to justice, equity, democracy, and common sense. Southern States base their opposition to a National Woman Suffrage Amendment on the additional complications it would create in regard to the negro vote. It would increase the numbers, but not the status of negro voters, and no changes in State constitutions or laws would be necessary. In States where they are allowed to use their franchise, whatever detriment to the electorate the colored men may be, this would be largely counteracted by the colored women, for they are superior to the men in morality, temperance, integrity, industry, intelligence, and domestic qualities. The "mother instinct" would go far to neutralize much that might be considered objectionable in their vote.

It is most unfair to hold that Fifteenth Amendment as an insurmountable barrier against the enfranchisement of women through amending the Federal Constitution. The question as to whether it was constitutionally adopted has always been acute enough to make one party reluctant to agitate it and the other bold to defy it. It was not the outgrowth of a long, educational campaign and a measure bearing equally upon all parts of the nation, such as woman suffrage would be, but the result of civil war and the overthrow of an established "system"; the forcing upon one section of the country by another section of an immense body of voters undesirable at that time from every standpoint. If a National amendment to confer the franchise on women were submitted now there could be a perfectly legitimate vote on it in every State by a Legislature elected by the legal voters of that State. The Southern States alone could supply

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enough votes to defeat it and have some left over, for it would require the ratification of three-fourths of all the States. When the class of voters that would be added to the electorate, should it be adopted, is compared with the class that was added by the Fifteenth Amendment, the injustice of considering the two propositions as parallel cases is clearly apparent and wholly inexcusable. No class was ever enfranchised in any country so well qualified as are the women of the United States.

There is wide misunderstanding of this proposed amendment. It does not take away from any State the power to prescribe the qualifications of its voters, with the one exception that it must not disqualify solely on account of sex. Presented in 1869 and never altered, it reads: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." At present in thirty-eight States women may be able to meet every requirement for voting, but because they happen to be women the State has power to keep them disfranchised until the end of time. Should this amendment be adopted the States could still impose requirements as to age, property, education, residence—even the " grandfather clause " would be as constitutional as it is now. The Southern States would be in no more danger than they are at present, and the Northern States would have nothing whatever to fear—except what is really the scarecrow in both cases—woman suffrage! The solicitude of members of Congress from the North lest it should be forced upon their dear colleagues from the South would be pathetic if it were genuine, but it isn't.

The question of submitting a National amendment to enfranchise women never has been considered by the Lower House of Congress, but on January 25, 1887, after a discussion of several days, the Senate voted as follows: yeas, 16; nays, 34; absent 26, of whom four stated they would have voted for and two against the resolution. All the favorable votes were from Northern members, but, including the two Delaware Senators, they also cast 14 of the negative votes, not giving a belief in States' rights as a reason, but a disbelief in woman suffrage itself. The recent vote in the Senate (March 19th) stood 35 yeas, 34 nays, 26 absent. For the first time Southern Senators declared in favor of giving suffrage to women by amending the National Constitution—

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Lea, of Tennessee; Ransdell of Louisiana, and Sheppard of Texas. Of the negative votes fifteen were from Northern States, if Delaware and Oklahoma can be so called, five or six of them on the ground of States' rights. Senators from seven States were on opposite sides. Of the affirmative votes, 21 were Republican, 14 Democratic; of the negative, 12 Republican, 22 Democratic. Of the Republicans 10, and of the Democrats 6, were from equal-suffrage States and could hardly vote otherwise. Ten Republicans and 16 Democrats were absent.

A definite analysis of this vote is impossible. Although it still records more Republicans than Democrats, and more Northern than Southern Senators in favor of a National amendment, yet it shows great advance since 1887, when not one Democrat voted in the affirmative. There was a vast difference in the two debates, the opposition far less vigorous now and conducted by much less prominent members. It might be said that the increase from sixteen to thirty-five affirmative votes had little significance, because seventeen of these were from States where woman suffrage already prevails, but that is the most significant feature of the entire situation—that there are now twenty members of the United States Senate under obligations to promote this measure. While there has been a remarkable increase of favorable public sentiment in recent years, it was not this which caused the sudden awakening in that astute body, but the realization that several million women will be entitled to vote for members of both houses of Congress at the November elections. A year hence this number will be increased, as some of the States where campaigns are now in progress are sure to be carried for woman suffrage.

The Senate Committee already has announced that it will again report in favor of the resolution for a National Suffrage amendment, and this will undoubtedly be discussed and voted on again next session. There will then be more Senators with women constituents; more Legislatures will have sent the question to the voters; more State conventions will have endorsed it; the parties will be lining up for the Presidential contest; those millions of women voters will loom very large on the political horizon. Northern women more and more will rebel against having this measure of relief denied them because the South is afraid of the negro women's vote. Southern women's eyes will be opened, and

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they too will demand this short cut to the ballot. The next vote in the Senate will show an increase, but is not likely to reach the necessary two-thirds. Meanwhile the House of Representatives will receive some rude shocks. Part of its members will come back much chastened in spirit; others will never come back; the women in their districts will know why. There will be a Woman Suffrage Committee in the Lower House of the next Congress, and women will help it to understand its business.

If three out of the five campaign States should be carried next fall, women would be fully enfranchised in one-fourth of the States. Illinois is not included, although the women have the county, municipal, and Presidential vote. The question will go to the electors in a number of States in 1915. One may be conservative and yet see equal suffrage in one-third of the States within a few years. When that time comes the different parties represented in Congress will do a Marathon to see which shall have the credit of a National amendment.

When that happy day arrives the advocates of woman suffrage, although by no means having finished their task, can take some time for recreation, and they will find it in what is now being said by the opponents of this amendment. The speech of Senator Borah, of Idaho, during the recent debate will rank as a classic. "I would count myself derelict to the great Pacific States if I were to vote to bestow the franchise on the ten thousand Japanese!" What difference would a National amendment make to those great States when they have already granted suffrage to women by amending their own constitutions? Japanese cannot vote in this country unless they are born here, and to intimate that there are ten thousand native-born Japanese women on the Pacific coast is a license of speech that cannot be justified, even when made for political purposes. The native-born Japanese and Chinese women are almost too few to stand up and be counted, and their vote is negligible. Much more amusing is the comment of a woman writer on the "shrieking and screaming absurdity" of this amendment, which, she says, "would give the ballot to Asiatic women where Asiatic men are not allowed to vote." and "the denial of equal rights to the Chinese and Japanese men would cause demands to be made on the United States by powerful nations with arms in their hands." The proposed amendment says:

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"The right of citizens of the United States to vote shall not be denied," etc. As the law does not permit Chinese and Japanese to become naturalized, and therefore citizens, how could the amendment enfranchise the women of those nationalities unless they were born here? The men who were born here are already enfranchised.

"If the amendment could be adopted," says this writer, "it would appear on the face of the Constitution as if women alone voted in the United States, as there is no mention in the immortal document of men voting." Oh, oh, when "males" are conspicuously set forth three times in the voting clause of the Fourteenth Amendment! "The eleven seceding States," says this writer, "would immediately retire to private life any Senator who would vote to create a Federal electorate." Three from those States have already done so, if that is what voting for this amendment means, but they have not yet been invited to retire. And we must refuse to get excited when told also that "in the event of a close contest in the Congressional election of Illinois there are vast possibilities of trouble due to woman suffrage," because it happens that the women of Illinois cannot vote for members of Congress.

The forebodings as to the terrible consequences if the National Constitution, with the consent of three-fourths of the States through their Legislatures, should forbid the other one-fourth to disfranchise citizens who had committed no other crime than being women, remind one of the prophecies of the dreadful things that would happen if women should get the suffrage by any means whatever. Ten States took the chances without being coerced and none of the things happened! It will be the same when the Federal Constitution makes it impossible for any State to deny qualified women a voice in their own government. The amendment is not going to be submitted at once; it will be for a considerable time before the various Legislatures, and meanwhile woman suffrage will already have been granted in so many States that most of the others will regard it as a reflection on their women to continue withholding this right. In conclusion, the prediction may be safely made that the States which hold out longest against it will not be entirely those of the South.

IDA HUSTED HARPER.

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DR. McKIM'S "CHRISTIANITY AND CHRISTIAN SCIENCE"—A REJOINDER

BY A CHURCHMAN

THE weakness of Dr. McKim's paper, which appeared in the March issue of the REVIEW, reveals the strength of Christian Science. It suggests the following incident: Balak said unto Balaam, "I took thee to curse mine enemies and behold thou hast blessed them altogether." "How shall I curse whom God hath not cursed?"

To make his positions impregnable and his attack effective he declines the issue presented in the article "Must Protestantism Adopt Christian Science?" which may not be familiar ground to him in his area of experience and study, and shifts to the field of creedal statements, where he is at home.

From such a titled thinker, on such a vantage-ground, one may expect arguments which shall clear the field of all error. He holds up the Apostles' Creed as the belief of Christendom and the summary of all Christian truth. He affirms that if the Christian Science Creed does not harmonize with it, nothing in it can be true, and assumes that it is opposed to the Church Creed and it must therefore be false. His aim is "to show that the Church and Christian Science are irreconcilable, and therefore Protestantism can only adopt Christian Science by abandoning and repudiating every fundamental doctrine for which it stands." In summing up he says:

> In every instance I have quoted the very words . . . of the founder of this new cult. And the result is that every article of the Apostles' Creed which expresses the faith of Christendom is denied by Christian Science.... Let me also point out that the conclusions I have reached rest upon a solid foundation, because I have drawn them entirely from the book called *Science and Health,* which is the Bible of this new religion, declared by its founder to be absolutely without error. . . . The conclusion is

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inevitable, also. This new religion is not the Christian religion, and whoever leaves the Christian Church to attach himself to it becomes an apostate from Christianity.

After making all possible allowances, one is impressed with the fact that the article criticized was not carefully read, and that there must have been an incomplete study of the Christian Science text-book. He fails to apply the canons of criticism and the laws of interpretation. These require that sentences should be studied in the light of the spirit and purpose of the author and interpreted by the scope of his completed thought, and by the meaning of the whole context. It is also necessary that the criticism should be based upon what may be seen from the viewpoint of the author. Coleridge has said that two-thirds of all misunderstanding would be avoided if disputants would agree as to the meaning of the words they used. The paper misrepresents both the article and *Science and Health*. The quotations for the most part violate the rules of criticism. The Christian Science standpoint of the spiritual and the absolute is not considered at all. The spirit of the book has not been caught. Words are used out of their Christian Science significance and sentences torn out of their context. The assumptions inexcusably beg the question and are not founded on truth. His conclusions are drawn from false premises, misunderstanding, and misconstruction.

To begin with the end of the paper, a personal statement is made that " this anonymous and unknown priest of the Protestant Episcopal Church must have been very unfortunate in his experience, as a witness for Christ and a guide of souls, if the picture he here presents is drawn in any large degree from the results of his own ministry."

He was. Because he was " very unfortunate " is the reason why the article was written. It is practically a record of convictions drawn from his personal experiences. If his previous article on Protestantism and Christian Science, had been carefully read, it would have been seen that the picture of the Church therein presented could not have been drawn exclusively from experiences in a limited parish, but rather from the conditions of the average churches at large in their relations to the vital challenges of civilization. These experiences are extra-parochial.

Dr. McKim's paper fails to show that the proposition in the article criticized was untenable, and to disprove the con-

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tention of the Christian Scientists that they have good reasons for their dissatisfaction. In his plea for the substantial adoption of the faith and practice of Christian Science, the writer regarded it as a social and religious phenomenon which seems to be a renaissance of the faith and practice of the Church as they were before its corruption by political affiliations and the placing of creed and dogma above life. Hundreds of thousands want to know about the truth of his statements which seem to them vital, and, if true, what the churches are going to do about it.

Is it true or false that, as he affirmed, our failure to successfully apply Christianity to existing conditions is interfering with and preventing its function of regenerating the world, and that to a degree Christian Science is accomplishing it? Have the facts presented to substantiate that position been disproven?

Is it true or false that the Church which stands for everything normal does not prevent conditions largely social which wreck health, and that Christian Science in a measure is doing it? Was the evidence presented in behalf of this proposition valid? Is it true or false that while the glory of our Church is its missionary work, there is a deplorable lack of knowledge, interest, and appreciation concerning its extension, activity, and support? Do the data given sustain this affirmation? Is it true or not that Christian Scientists are all missionaries for their faith, and that the fruitage of their lives and practice is of the Holy Ghost, and that such fruitage is not common in the average church? Can their testimony be gainsaid? Has the paper disproved the position that the theology of Christian Science is more scientific than that which is popularly accepted by the churches? Has it shown that the arguments made in support of it are not true?

Note well that Christian Science has nothing which does not equally belong to our Church, because both are founded on the same confession of St. Peter and the same life of the Christ, and are manifestations of the same Kingdom of God. Christian Science has had healing for less than fifty years. The Church had it for nearly four hundred years and has expressed it whenever it had the spiritual channels to convey the power.

But Christian Science has found the laws of healing, and to-day is applying them successfully by the power of the in-

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dwelling God, and has shown how to make God available and operative for every need, so they have absolute faith in the teaching and healing of Jesus.

The paper says, "Christian Science claims to be a new and improved edition of the Christian religion." It makes no such claim! It is the resurrection of the Christianity of Jesus the Christ with its full Gospel. This Gospel the Church has dissected in its science, desiccated in its theologies, desecrated in its materialism, and swathed in cerements of dogmas.

It is declared that Christian Science "professes to accept and interpret the Bible, yet it has put forth another Bible of its own for which it claims infallibility." The facts are that the founder of Christian Science attributed all her discoveries to a constant and prayerful study of God's word, while hundreds of thousands of her followers make a daily study of the Bible and its spiritual interpretation as revealed by her insight into the spiritual significance of the contents of the spiritual Kingdom of God. The assertion that it has put forth another Bible of its own for which it claims infallibility is not true. No passage in Christian Science literature can be found in its support, and every Christian Scientist will deny it; nevertheless, seven times this paper refers to *Science and Health* as their Bible!

The condemnation of Christian Science by the critic is based on its alleged disagreement from the Apostles' Creed, but when he wrote "now for the comparison between the Creed of Christianity and the Creed of the system which calls itself Christian Science," he showed that he had not read Christian Science literature or he would have known that it has no formal creed. He interprets from his own point of view and evidently cares not to find out the sense in which the words are used. It may be said that while they have no formulated doctrinal standard, they do accept every article of the Apostles' Creed. Only personal adherence to it can make it of practical value. Its reception in our thought always depends on its interpretation, and varies in our lives with the relative planes of our spiritual growth.

The Apostles' Creed was formulated as a summary of belief for the candidates applying for membership in the Church, because of the lack of manuscripts of the Bible. As the Apostles had nothing to do with it, and it was not inspired, the Fathers modified it to suit their own ideas,

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some omitting the descent into Hell, others the communion of saints and the life everlasting. Because creeds were framed by the majority vote of Councils and set up as if inspired, impiety became rampant. No reliance was placed upon such creeds as statements of absolute truth.

We have inherited some of these creeds which are admirable statements of the doctrinal beliefs of the Church, but to say that one is an apostate from Christianity if he questions the verity of any part of the creed of the Church is to insert a test and condition which are beyond those of Jesus and the Apostles. The Master stated, "He that is not against us is on our part"; "Whosoever shall do the will of My Father which is in heaven, the same is my brother and my sister and mother." How could anything be broader, more inclusive, and more intimate? He taught that if a man did not forsake all that he had (materially) he could not be His disciple. He founded His Church upon St. Peter's confession of faith, "Thou art the Christ, the Son of the living God." St. Paul's classification is scientific—"If any man have not the Spirit of Christ, he is none of His," however orthodox he may be theoretically. Conversely, it is true, if one have the spirit of Christ he is His, with all which that involves and implies. These essentials of the Kingdom of God never can be subordinated to theological formulas or credal statements without subverting the divine order. To condemn as apostates thousands of people who are striving to have the mind of Christ and to do His will and thereby know of the doctrine that it is of God, because they do not seem to believe in a creed, is to put things desirable above things essential.

Dr. McKim asserts, in proof of the corrections of his position, that Christian Science denies that God is our Father, and that He is the Creator of heaven and earth. When one considers the intelligence and religious life of these people together with the unnumbered declarations of the book to the contrary, it becomes apparent that such a statement is absurd. The quotations from *Science and Health* to support it are not given the meaning they attach to them. Why is it that the obvious meaning is ignored and that something is read into them to show that Christian Science denies the personality of God because it calls Him Principle? It must have been either intentional or the result of superficial reading when the critic uses Principle with a

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small "p," while in hundreds of places in the text-book it always appears with the capital "P." What is there in the word God *as a word* which makes Him more adorable than that which is contained in the word Principle, which is a synonym of Infinite Love, Spirit, Truth, Life? If *Science and Health* had been studied in order to know the truth, one would have understood it to teach that God is Infinite Personality. Mrs. Eddy says in *Science and Health* (p. 116): "As the words person and personal are commonly and ignorantly employed they often lead, when applied to Deity, to confused and erroneous conceptions of divinity and its distinction from humanity. If the term personality, as applied to God, means infinite personality, then God *is* infinite *Person*."

Again the paper says, "If God is not a personal God, but only a principle, how can He be a Father—how can He love us?" This position is answered in the above statement as to the infinite personality of God. Must one have a human-form God in order to have love from Him and to love Him? Only divine Principle and infinite Personality can satisfy any intelligent basis for thinking about God. Emerson says, "I deny personality to God because it is too little, not too much," meaning by it the idea formed of it by human sense. It is impossible to make a material image of a spiritual being. If God were an empty principle without life or love or truth, it would indeed be impossible to worship Him or to love Him or to think of Him as loving us. How grotesque it would be to affirm the omnipresence of a God in the anthropomorphic sense! Fancy it in the universe whose distances of worlds in space are measured by thousands of light-years as the measuring-rod, and science demanding that at every point within the horizon of solar systems God should be all the time upholding and governing with the involved omnipotence and omniscience. Such a conception, which seems to underlie the criticism, might do for an age when the Church taught that our suns were lanterns hung out in the skies by angels as soon as it became dark, but not for a day when science has shown us the glories revealed in the material universe. The material senses, however, shut out the infinite glory of the real spiritual universe filled with infinite Personality, Principle, God. Only such a God is capable of being loved by all humanity at the same time and for ever. We cannot truly love ourselves

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unless we love ourselves in God. What we really love in others is primarily the spiritual graces and charms, ideals and principles, which make up their true selfhood. When the object of love is God, we must love Him spiritually because He is Spirit. We must love with the mind because He is omniscient, and love with the heart because He is Love, the infinite Principle underlying every manifestation of infinite Life. If infinite Love as Principle cannot fulfil the conditions of the Fatherhood of God, how can one constitute it out of a magnified human likeness? These Scientists daily pray "Our Father." Faith in His fatherly care is expressed in their words, "Divine Love always has met and always will meet every human need." In the first line of the preface of their book their trust in His fatherly provision of good things is recorded in these words, "To those leaning on the sustaining infinite, to-day is big with blessings."

The next position of the paper is that Christian Scientists deny that God is the maker of heaven and earth because they hold that "matter is unreal." In Christian Science reality is used in the sense of that which is substance, which is of God, and therefore has permanence and freedom from discord and change. From the point of view of the spiritual and the absolute, nothing can be real which God has not made. From the relative standpoint of the senses, everything seems to be real, but the seeming is not the reality, although the human sense so interprets it. To sense perception, the horizon is a limit and there is nothing beyond; the sun rises, moves to the west, and sets, and sense supplies no evidence that the earth moves; the stars are nothing but points of light and do not shine during the day. To the carnal mind, the same is true respecting spiritual realities. As St. Paul puts it, "They that are after the flesh do mind the things of the flesh." "To be carnally minded is death." "The natural man receiveth not the things of the Spirit of God, for they are foolishness unto him; neither can he know them because they are spiritually discerned." As a matter of interpretation of phenomena, the things seen are temporal, unreal, and are not made of things which do appear, and the things that are not seen are eternal, real. *Science and Health* (p. 472) says: "All reality is in God and His creation, harmonious and eternal. That which He created is good and He makes all that is made. Therefore the only

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reality of sin, sickness, or death is the awful fact that unrealities seem real to human erring belief until God strips off their disguise. They are not true, because they are not of God." Mrs. Eddy further writes: "I believe in matter only as I believe in evil, that it is something to be denied and destroyed to human consciousness and is unknown to the Divine. We should subjugate it as Jesus did, by a dominant understanding of spirit" (*Unity of Good,* pp. 4, 5). Again, "Objects utterly unlike their original do not reflect that original, therefore matter, not being the reflection of spirit, has no real entity" (*Science and Health,* p. 506). "To material sense the unreal is real until this sense is corrected by Christian Science." Experience illustrates this. Reality is not the spoken word; it is the truth which language conveys to sense because it reflects God, Truth. The work of art is not the reality, but the image in the mind of the artist is, because it reflects infinite Beauty. If Christian Scientists defined that which to the senses seems real as the "actual," and that which seems real to spiritual perception as "absolute reality," this misunderstanding might be forestalled. Thousands have the idea that Christian Science denies the reality of sickness, hence from their material viewpoint they justly ridicule Christian Science. Mrs. Eddy declares, however, that "Sickness is neither imaginary nor unreal, *i. e.,* to the frightened false sense of the patient. Sickness is more than fancy; it is solid conviction" (p. 460).

The next point in the paper on which is founded the accusation that "Protestantism can only adopt Christian Science by abandoning and repudiating every fundamental doctrine for which it stands," is that Christian Science denies the next section of the Creed, "I believe in Jesus Christ His only Son, our Lord."

Christian Scientists believe this thoroughly because it has become a fact of their experience through following Jesus Christ into God. It is more than theory with them. As to just how He came into the world they have no dogma. Looking from the spiritual and absolute, it would stagger even the credulous to say that infinite Personality whose presence fills the universe was absent from this world until He appeared in the likeness of sinful flesh. It is equally true that Jesus, born of the Virgin Mary, could not have had the consciousness that compelled the statement, "Before Abra-

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ham was I am." That was the consciousness of identity with Christ, the Logos, or Word, the perfect expression of infinite Mind. However men may dogmatize about how God became incarnate, the true Christian is satisfied that Christ is the God-man because he has taken up His cross and has grown into the spiritual realization that he has his being in God. Whatever theory may be held about human birth, one thing is sure, that only God is the creator of man. *Science and Health*, p. 29, says:

> The Holy Ghost overshadowed the pure sense of the Virgin mother with the full recognition that being is Spirit. Had His origin and birth been wholly apart from mortal usage, Jesus would not have been appreciable to mortal man as "the Way." "The Virgin mother conceived this idea of God and gave to her ideal the name Jesus." Contrast these thoughts with that of the critic that Jesus was *simply* the ideal of the Virgin.

It is charged that Christian Science denies that Jesus rose from the dead. *Science and Health* says: "The resurrection of the great demonstrator of God's power was the proof of His final triumph over body and matter." "Our Master fully and finally demonstrated divine Science in His victory over death and the grave." The reappearing of Jesus was not the return of a spirit. He presented the same body He had before His crucifixion, and so glorified the supremacy of Mind over matter. His unchanged physical condition after what seemed to be death was followed by His exaltation above all material conditions, and this exaltation explained His ascension. In His final demonstration called the Ascension, which closed the earthly record of Jesus, He rose above the physical knowledge of His disciples and the material senses saw Him no more" (pp. 42, 45, 46). His resurrection was the victory over the mortal belief that life can decay. His Ascension completed His struggle for freedom and He then realized the pure normal spiritual condition of man. That was what He came to do, and salvation means just this.

If the critic had read Christian Science literature, how could he have said that it denied the death and resurrection and ascension which it so unequivocally affirms?

Dr. McKim objects to the teaching that Jesus "healed the sick and destroyed sin by a metaphysical process."

His instance of the raising of Lazarus was certainly not a physical process, but a metaphysical one. He claims that

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the life of Lazarus had been destroyed, but only by identifying life which is essentially spiritual with the material body can one believe that the falling away of the body extinguishes the life. His thought would make individual life depend on matter. When Christian Science speaks of man it means the real spiritual man, made in God's likeness. It is declared that Martha's statement, "By this time he stinketh," is an evidence of death. But did "he" refer to Lazarus or to his body?

Again, "If we consider now the mission of Jesus Christ we find in Christian Science another complete contradiction of the Christian Creed." It says: "Christ came to save men, not from their sins, but from the false belief that they are sinners; that man is incapable of sin; that the only reality of sin is the awful fact that unrealities seem real." According to St. John, the real man *is* sinless, for he says of him, "Whosoever is born of God doth not commit sin, for his seed remaineth in him, and he *cannot sin* because he is born of God." Duns Scotus has said, "Since there is no real being outside of God, evil has no substantial existence. Perfection and reality are synonyms, hence absolute imperfection is synonymous with absolute unreality." In *Miscellaneous Writings,* p. 63, we find, "Jesus came to seek and to save such as believe in the reality of the unreal; to save them from this false belief that they might lay hold of eternal life, the great reality that concerns man, and understand the final fact that the Lord He is God, there is none beside Him." This is simply saying that our salvation is a progress out from the false beliefs which were the basis of Adam's sin, and of the temptation of Jesus, and which are found in human experience to be the cause of all sin.

The critic goes on to affirm that "it is not surprising, then, that we find no doctrine of the atonement." Strange criticism that in its ignorance will not see the vital belief in atonement which runs through all Christian Science teaching and is the very foundation of its healing! It is charged that Christian Science puts the teaching that "reformation cancels crime" in place of the atonement. Mrs. Eddy says: "Science removes the penalty only by first removing the sin which incurs the penalty. This is my sense of divine pardon which I understand to mean God's method of destroying sin. Another's suffering cannot lessen our own liabil-

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ity. Did the martyrdom of Savonarola make the crime of his implacable enemies less criminal?'' (*Science and Health,* p. 40).

Again the critic says, '' Christian Science denies the personality of the Holy Ghost.'' If he means personality in the human sense, of course it does and should. Mrs. Eddy writes: '' I have healed infidels whose only objection to this method was that I as a Christian Scientist believed in the Holy Spirit, while they, the patients, did not.'' (p. 359.)

Leaving the Apostles' Creed as a standard of Truth to show the falsity of the alleged contradiction of Christian Science, he passes on to disclose some of the Christian Science claims and tenets which he says are untrue:

1. That '' Disease is an illusion.'' If disease from the standpoint of the absolute and spiritual be real, then in healing Jesus was destroying what God had made.

2. That if men will faithfully follow the philosophy of Christian Science, '' death will be obsolete. When we wake to the truth of Being, all error . . . sorrow, sin, and death will be unknown. Even the lightning will become harmless.'' Certainly, if men will do away with sinning these direct and indirect effects of sin will accordingly vanish. All church people believe in the Kingdom of Heaven, where sin and misery and death will be unknown. Christian Scientists believe that this spiritual Kingdom is here now, as Jesus said it was, and in proportion to our entrance into it we will be freed from every form of evil. St. Paul declares '' the last enemy that shall be destroyed is death.''

3. The critic says, '' If every one of them [cures] has really been wrought, that does not prove the truth of Christian Science; for our Saviour warns us that ' false Christs and false prophets shall show great signs and wonders, inasmuch as they shall deceive the very elect.' '' The Bible states: '' Now when John had heard in the prison the works of Christ, he sent two of his disciples and said unto Him, Art Thou He that should come, or do we look for another? Jesus answered and said unto them, Go and show John again those things which ye do hear and see: the blind receive their sight and the lame walk, the lepers are cleansed and the deaf hear, the dead are raised up, and the poor have the gospel preached to them. And blessed is he whosoever shall not be offended in Me '' (and in the logical sufficiency of My argument).

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4. The last point raised is that "Christian Science does not exalt the power of prayer to heal the sick." There is not a Christian Scientist in the world who would not repudiate this statement. It is the antipode of their belief. If the critic had read *Science and Health,* as he says he has, he would have found the very first sentence of the first chapter of that book to be, "Prayer that reclaims the sinner and heals the sick is an absolute faith that all things are possible to God—a spiritual understanding of Him, an unselfed love."

From what has been written, is it true, in the judgment of the reader, that, as the critic affirms, Christian Science is opposed to the Church Creed? Has he proven his claim that Protestantism can only adopt Christian Science by abandoning and repudiating every fundamental doctrine for which it stands? Has he supported his contention that every article of the Apostles' Creed which expresses the faith of Christendom is denied by Christian Science? Has he shown the fundamental antagonism between the Creed which he says overthrows and Christian Science? By reading the following points of what they believe, the reader's common sense will surely decide whether these hundreds of thousands of Christian Scientists are "apostate."

1. As adherents of Truth, we take the inspired Word of the Bible as our sufficient guide to eternal Life.

2. We acknowledge and adore one supreme and infinite God. We acknowledge His Son, one Christ; the Holy Ghost or divine Comforter; and man in God's image and likeness.

3. We acknowledge God's forgiveness of sin in the destruction of sin and the spiritual understanding that casts out evil as unreal. But the belief in sin is punished so long as the belief lasts.

4. We acknowledge Jesus's atonement as the evidence of divine, efficacious Love, unfolding man's unity with God through Christ Jesus the Way-shower; and we acknowledge that man is saved through Christ, through Truth, Life, and Love as demonstrated by the Galilean Prophet in healing the sick and overcoming sin and death.

5. We acknowledge that the crucifixion of Jesus and His resurrection served to uplift faith to understand eternal Life, even the allness of Soul, Spirit, and the nothingness of matter.

6. And we solemnly promise to watch and pray for that Mind to be in us which was also in Christ Jesus; to do unto others as we would have them do unto us; and to be merciful, just, and pure.

A CHURCHMAN.

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SOME IMPRESSIONS OF CUBA

BY SYDNEY BROOKS

THE first impression made on me by a recent trip to Cuba was the same as I received three years ago when I first visited the island. It was one of astonishment at finding both the capital and the country parts overrun with tourists. For three centuries at least, both to Europe and to America, the name of Havana has been a name of terror; and if the city is now on the way to becoming a recognized resort for pleasure-seekers, if a few days in Havana or a sentimental visit to the battle-fields round Santiago are to-day pretty regularly included in the return trip from Panama to New York, the Americans, and their splendid achievement in stamping out yellow fever, have to be thanked for it. The Cubans may not have learned much from the United States, but they have at least learned the value of cleanliness. All over the island drainage systems, water-supplies, and the whole machinery of public hygiene have been carefully studied; Havana nowadays is flushed as faultlessly as Paris or Berlin; and Cuba, a frostless land of perpetual June, where the thermometer rarely falls below sixty degrees or rises above ninety degrees, where the trade-winds play with daily refreshment, and where the climate during the winter months is a great healer of bronchial troubles, is at last beginning to realize that its old and sinister reputation as a fever den was due to no natural causes, but simply to the folly and ignorance of man, and that its present position with the second lowest death-rate in the world is much more representative of its real merits.

Even the European visitor who may be presumed to have seen and known something of Spanish life in its native home and who will therefore be predisposed to class Cuba along with Lower Quebec as a raw colonial edition of the real thing, will find in Havana something foreign enough and

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picturesque enough to detain and delight him. The city has its associations with history to which Morro Castle and the pinkish walls of the Cabañas forts, guarding the exiguous entrance to the bay, still bear witness. It has its cathedrals and its dungeons, its huddle of darkened streets, its narrow pavements whereon the battle of the wall is daily fought out, its cafés that sometimes turn down their lights, but never seem to close their doors, and where at all hours you can be served with a varied and delectable meal, out-of-doors or on the roof, with the blue-black waters of the bay beneath. It has its central, indispensable, palm-fringed avenue and its fashionable afternoon driveway, skirting the Gulf of Mexico. It has its country club and its golf-links, its carnivals and festivals, its sparkling suburb of Vedado, its contrasts of electric street-cars, bullock wagons, and automobiles, its shrill peddlers, its opera-house, its shops where chaffering is carried to an almost Irish finish, its peopled fluttering balconies, and, above all, and permeating all, its high-pitched clanging noises. All this the average visitor, especially if he is from the United States and has had few opportunities for contact with an alien environment, finds eminently satisfying. But the real destiny of Havana, if it means to become one of the permanent winter resorts of the West Indies, is to develop something on the lines of another Monte Carlo. More than one concession to this end has been sought from the Cuban Congress, but so far, I gather, American morality, stimulated by the outcries of the Florida hotel proprietors, has been potent enough to prevent the scheme from taking shape and substance. If that is indeed the situation, one can only recognize in it one more touch of the sanctified hypocrisy that makes the English-speaking world kin. Americans would be untrue to the code of Anglo-Saxondom if, while not at all objecting to the Cuban people ruining themselves by the lottery, they were not instantly and properly scandalized that they should seek to entice wealthy Americans to gamble in a casino.

Outside of the capital, Cuba has not much to offer the mere sight-seer. There is a miniature Switzerland of bold hills and nestling châlets in the eastern parts round Santiago; one recalls some happy moments as one bursts upon a great green sea of waving sugar-cane, or bowls in a motor-car between royal palms, or spends a night or two on a sugar

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estate, with the humming mill on the right, a formal, luscious, painfully brilliant garden around one, and in front a baked compound traversed by laden ox-wagons, and by the Cuban planter sitting stiff and white on his nimble horse; and one remembers the plunge into the scents and colors of some primeval jungle. But, on the whole, Cuba is a land still in the making; governed for some hundreds of years by the least progressive of European peoples and repeatedly laid waste by civil war, it has had little chance to become " romantic "; and what really interests one on a tour through the island are sugar and tobacco and the prospects and possibilities of each, and the concessions, with the gossip of which the Havana cafés are buzzing, and the future of the henequen and fruit industries, and where the next railway line is to be cut, and the all-pervading play of politics. In the absence of " scenic wonders," and of nearly everything but desolation and backwardness to testify to the past, one falls back on examining the island as " a business proposition."

It is only within the last decade that Cuba has begun to realize either herself or her assets, to survey her natural resources, and to set about exploiting them in any systematic way. Even now barely one-twelfth of the island is under any sort of cultivation; many parts are almost as they were when Columbus first discovered it; in the eastern provinces, to leave the track of the Cuba Railroad is to find oneself as often as not in an uncleared jungle; fresh sources of agricultural, mineral, and industrial wealth are constantly being tapped; and, like the Western States of America thirty or forty years ago, Cuba resembles a storehouse of unsuspected riches awaiting the men and the money to unlock it. Nothing, for instance, a few years ago would have seemed more unlikely than that Cuba would one day be exporting over a million tons a year of the raw material of the American steel industry, or that a survey should show the island to contain deposits of three thousand million tons of iron ore. It is safe, indeed, to say that no one as yet has any precise idea of the wealth that Cuba is capable of producing. It is at once one of the most accessible spots on earth and one of the most neglected. It is situated on one of the most crowded and famous of trade routes—a route that will be more crowded than ever when the Panama Canal is open—and yet capital and modern science are only

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just beginning to explore its opportunities. There are probably very few territories of its size in the world so richly endowed with potential wealth, yet it is only on the threshold of its development, and its population numbers little more than two millions, or about a fifth of what the island could and should support in comfort.

Of the many changes that have taken place in Cuba since the blight of Spanish rule was removed, none is of more importance than the opening up of the eastern districts. A dozen years ago Havana was better known abroad than Cuba; the ordinary visitor, whether on pleasure or business, rarely got farther east than Matanzas; there was practically no communication, except by sea, between Havana and Santiago; and the eastern end of the island lay not merely unimproved, but almost inaccessible. The enterprise of Sir William Van Horne in driving six hundred miles of track lengthways through the middle of Cuba has changed all that, and to-day it is beginning to be realized that the economic future of the island may well prove to lie in its eastern provinces, and that the long-worked soil of the western parts may in the end be outranked by the virgin and more productive soil of the east. Even now it is possible for any well-organized concern to go into what is to-day an uncleared wilderness or forest and in five or six years to build up a profitable industry in sugar, timber, and fruit. And the Cuba Railroad, which has thus opened up a hitherto sealed region of extraordinary fertility, is something more than a common carrier. It is itself energetically engaged in the work of development which it has made possible. It is building ports and dredging harbors; it is a large landowner and hotel proprietor, and it has erected two of the most compact and efficient sugar-mills on the island. All the Cuban railroads, indeed, strike one as extremely serviceable, well-managed, and enterprising. Sir William Van Horne has furnished the island with a steel backbone; some of the ribs that in the future will branch from it to the north and south coasts have still to be built; a line from Carbarien to Nuevitas along the north shore is already under construction; and when these additions are made the limits of railroad building in Cuba will have been pretty well reached and the problem will then resolve itself into a consideration of on what terms to bring the various companies under a single directing control.

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Cuba, as I have said, is a land that is just beginning to repair the damage and neglect of three centuries, and any country in that position is bound to offer opportunities to the contractor and investor. The cities, for instance, are rapidly equipping themselves with the hotels, telephones, lighting plants, transportation services, aqueducts, sewage systems, asphalted or macadamized streets, and so on, demanded by modern communities. The Government, whatever its political shortcomings, has done much to develop the harbors—the lighterage charges at most of the Cuban ports have hitherto been a serious handicap on commercial expansion—to build main roads, to bridge the rivers, to extend the postal and telegraph systems, and to make the path smooth for foreign capital. The mere fact that the average rate of interest in the island on the best security is ten per cent., and that mortgages on unimpeachable property bring in a minimum of eight per cent., indicates the slenderness of Cuba's financial resources as compared with the greatness of her possibilities. Considerable industries remain to be built up out of the native supplies of sponges and textile plants; the rise in real estate all over the island affords many chances for a rapid turnover that Americans have been quick to seize upon; nearly all the staple agricultural products of the tropical and sub-tropical zone are indigenous, and the small holder has thus a wide range of choice in fruits and vegetables, cattle, swine, and poultry; and there are some 10,000,000 acres of uncleared forest, containing over fifty different varieties of hardwoods, besides unworked deposits of copper, ore, manganese, and asphalt. In Cuba, as elsewhere, the intending settler or investor needs common sense—needs especially to be sure that his titles are clear, that rail or water facilities are within reach, and that his market in the United States is not controlled by a trust—but if he will only exercise ordinary intelligence and judgment he will find that the island well repays the capital sunk in it. It is a white man's country if the white man has sense; more than one American colony of fruit-growers has proved as much; and the brilliant climate helps to take the edge off the first rough years of settling down.

But of all the openings for development to be found in Cuba the most profitable and by no means the least secure are those presented by the sugar industry. Sugar is king

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in Cuba; tobacco is no longer, and coffee has long since ceased to be, even a pretender to the throne; and while fruit-farming and ranching can be made with perseverance to yield substantial returns, it pays better, as a rule, to put the land down in cane. The value of the Cuban sugar crop is some $100,000,000 a year, and the mere financing of it, in a land where a man thinks himself lucky if he can raise money at twelve per cent., opens out a tempting field for judicious speculation. One hardly, however, exaggerates in saying that to enter the sugar industry in Cuba, as a planter and millowner and landed proprietor, is scarcely to speculate at all, so unique are the conditions and so sure the rewards. There are many parts of the island where, with little irrigation or the use of fertilizers, sugar has been raised profitably and unintermittently for a hundred years and more on the same piece of land. There are many others where no replanting is necessary more than once in ten years. The cane has nothing to fear from insects, and the wind-brakes and light railways and protective clearances, planted as a rule with sweet potatoes that are to be found on all modern plantations, have very greatly mitigated the danger from fire. The supply of labor is, on the whole, adequate, tractable, and traditionally skilled; and all the economic conditions of the industry have been revolutionized in the past few decades. The small mill has practically disappeared, and the small private plantation with it. Fifty years ago there were over a thousand mills in Cuba; to-day there are less than one hundred and eighty. But the mills of the present time are gigantic structures owning, in some instances, over two hundred thousand acres of land, working over a hundred miles of railway, turning out half a million bags of sugar a year, commanding ample capital, employing expert managers and thoroughly up-to-date machinery, devoting, in short, to the cane the same painstaking, scientific study, mechanical ingenuity, and progressive business methods that Germany has lavished on the beet. The result of this combination of human skill with the bounty of nature is that Cuba to-day produces the cheapest sugar in the world, and if put to it could undersell the product of the beet in the markets of Europe.

But Cuba at present has little call to think of Europe. Practically the whole of her crop goes to the American market, which it enters on preferential terms; and this is a

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factor of the first importance in insuring the stability of the industry and in forecasting its probable development in the future. Cuba depends on the United States, but not so much as the United States depends on Cuba. The consumption of sugar by Americans increases at a faster ratio than that of any other people. They require already more than three million five hundred thousand tons a year. A decade hence they will need well over five million. Where is it to come from? Without entering into elaborate calculations it is enough to say that the Cubans appear to have good grounds for their belief that the United States will have to rely for its sugar more and more upon Cuba, and that Cuba alone is capable of the development that will be needed to cope with American demands. Everything, therefore, points to a continuous and lucrative growth of the Cuban sugar industry. The *colono* system—the system under which the land owned by the company is allotted to planters, or *colonos,* who plant, cut, and deliver the cane to the mill, receiving in return five pounds of sugar for every hundred pounds of cane—appears to work satisfactorily and has certainly many advantages from the standpoint of the general manager. Cuban sugar is, in short, as near an approach to a safe investment and a profitable employment as anything connected with agriculture can be.

Tobacco remains Cuba's second largest industry, and the peculiarities of soil and climate in the Vuelta Abajo continue to assure her a natural monopoly of the finest cigars, a monopoly that has defied all the efforts of science to resolve its causes or reproduce its constituent elements. The only thing that seems ever likely to threaten it is the carelessness or improvidence of the planters and manufacturers themselves—first, in lowering the quality of their output, and, secondly, in exporting so much of the leaf to America and elsewhere that the great name of Havana is in peril of losing its significance. As to whether it is really the fact that the true Havana cigar has of late years deteriorated, I hesitate to pronounce any opinion. The independent manufacturers on the spot impute the blame for such suspicion on the matter as exists partly to the Cuban rebellion and the Spanish-American war, partly to the importation of Mexican seeds that followed, partly to the strikes, political disturbances, floods, and cyclones that have severely interfered with the industry since 1905, partly to a change in the

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taste of smokers who are coming more and more to prefer a light-colored wrapper and a mild-flavored cigar, but chiefly to the operations of the American Trust and its experiments in fertilizers and cultivation under cheese-cloth, its alleged indifference to the niceties of a manufacturing process every stage of which asks the highest discrimination and the most scrupulous care, and its reputed passion for "standardizing" its products. One's instinct tells one that if an American Trust were to buy up all the French vineyards, a drinkable champagne would be something of a rarity in ten years' time; but I am bound to add that in going over the Trust's factories in Havana I saw no evidence whatever that the old names and recipes and methods of manufacture and the varying yields of the different plantations were being robbed of all individuality and reduced to a common and undistinguished denomination. The charge, in my judgment, falls to the ground. I am even persuaded that the Trust, which owns some seventy-five per cent. of the best vegas in Vuelta Abajo, has rendered the tobacco industry of Cuba a considerable service by its scientific and systematic analysis of the soils, by its practice of testing seeds, and by many other wholesome innovations.

The growing export of the unmanufactured leaf, on the other hand, is a matter not of opinion, but of statistical demonstration. But it must, of course, be remembered that it is leaf of an inferior quality. Cuba last year sent abroad, mainly to the United States, over 300,000 bales of tobacco leaf, valued at nearly $17,500,000, or about $5,000,000 more than the value of her exports of manufactured cigars; and the figures of the last thirty-odd years show that while the export of finished cigars remains more or less stationary, the export of tobacco leaf, from which "Havana" cigars are manufactured at Tampa, London, Hamburg, and elsewhere, has practically trebled in the past three decades. The Cuban Government has sought to counteract this tendency by affixing a special label or stamp to cigars made in the island, and there has even been talk of imposing an export duty on the raw leaf, a device, however, that would infallibly defeat its own object. Meanwhile, though its condition is not altogether healthy and its prospects cannot be said to be free from doubt, an industry whose annual production amounts to little, if at all, less than $45,000,000 is a valuable asset in the island's economy.

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Cuba's prosperity, it will be seen, rests on a natural and therefore an indestructible basis. It is not, however, synonymous with the prosperity of the Cubans themselves. The retail business in the towns is mostly in the hands of Spaniards, a good deal of the best skilled labor is immigrant and migratory, the larger enterprises are almost wholly owned and managed by Americans, Englishmen, or Germans, and the natives tend more and more to become either mere squatters on the land of their birth or the dispossessed employees of alien capitalists. The poorer among them, heavily mulcted by the tariff, demoralized by the lottery, and shut off from the soil, live in a state of carelessly incongruous destitution; and there can be no question that a more economical government or one that would break up the large estates, encourage small holdings and the cultivation of the foodstuffs that might and should be raised on Cuban soil and that are now imported under heavy duties, establish a system of rural credit, and concentrate on the work of agricultural instruction and development, could do much to improve their condition, to remove a dangerous source of social and economic unrest, and to admit "the people" to a more definite share of the prosperity enjoyed by "the interests" that are engaged in the work of Cuban exploitation. President Menocal has shown abundant signs of recognizing that the well-being of the masses ought to be the first preoccupation of statesmanship and has declared his intention of reducing the tariff and establishing a healthier ratio between direct and indirect taxation. But whether he succeeds or fails, and whatever its political future, the island is bound to go on increasing in wealth and offering to foreign capitalists and investors not only endless opportunities, but the strongest possible guarantees of security for legitimate enterprises.

The material welfare of Cuba, in short, may be taken as a thing assured. But unquestionably the pace at which it proceeds will be affected by the course of politics and the internal tranquillity or otherwise of the island. The outlook in that quarter, while decidedly more promising to-day than at any moment since Cuba stepped into control of her own destinies, is not and cannot be absolutely reassuring. After some four centuries of political torpor and servitude, the Cubans, a third of whom are negroes and perhaps two-thirds illiterate, have been set to work out a repub-

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lic and a constitution on a basis of universal suffrage and under the somewhat indefinite but none the less effective suzerainty of the United States. Clearly they can only conduct so hazardous an undertaking to a successful issue after repeated stumblings and backslidings, amid many scandals, with frequent lapses from the democratic ideal, to the accompaniment of a continuous commotion, and by the exercise, on the part of the American Government, of an extraordinary patience, sympathy, and forbearance. In judging the good and bad points of the Cuban Republic, its genesis and the material it has to work upon, the history and characteristics of the Cuban people must always be remembered.

I have not, however, until quite recently detected among Americans any great anxiety to bear these salient facts in mind. It is always a difficult situation—we English found it so ourselves in the Transvaal—when one strong State exercises over another and weaker State certain ill-defined rights of supervision and control, especially when the subordinate State is one of great and increasing wealth, and when the nationals of the suzerain Power have acquired a heavy commercial and financial stake in its fortunes. Such a conjunction must almost necessarily breed a certain amount of friction and misunderstanding, particularly when, as in the case of Cuba and the United States, there is a difference of language, of social formation, of governing capacity, and a still greater difference in the two peoples' instinctive ways of looking at things. The Cubans owe more to the Americans than to any other nation, but as individuals they dislike them. The Americans have assumed heavy responsibilities in Cuba, yet few of them are within a mile of understanding the Cuban people. This lack of real sympathy and comprehension, springing from profound divergences of social structure and mental habits, seems somewhat ominously to reproduce the situation that existed between Great Britain and the Transvaal Republic; and the resemblance is heightened by the fact that in Cuba, as in the Transvaal of old days, most of the money and practically all the money-making enterprises, except politics, are in the hands of aliens, who feel no loyalty to the country of their adoption, and who would, indeed, for business and financial reasons, prefer American to Cuban rule.

Cuba has thus had a " bad Press " in the United States,

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and the average American newspaper has been apt to comment on Cuban affairs in a spirit of more than British censoriousness and superiority, to open its columns freely to the tittle-tattle of the Havana cafés, and to expect Cuba to surpass the whole world forthwith in the art of self-government. What has complicated the situation in the very recent past is that America has nothing resembling a trained and expert Colonial Department, and that Cuban policy is liable to become the shuttlecock of minor officials in the War or State Departments. What still complicates it is that the Platt Amendment puts it into the hands of a Cuban minority to avenge itself for a lack of offices by raising such disorder as may seem to justify American intervention. On the other hand, the responsible statesmen at Washington have never at any time wanted to take over the management of the island, and popular opinion in America has always and sincerely wished Cuba well and desired to see the experiment of self-government succeed. None the less, as I tried to set forth in THE NORTH AMERICAN REVIEW for July, 1912, the habit grew up a few years ago of interfering with the details of Cuban administration and of using the Platt Amendment to justify almost every kind of recognition that the officials at Washington might choose to make on the Cuban Executive and Congress. When Mr. Taft was in the White House and General Gomez in the Palace at Havana it was the merest gallantry to speak of the Cubans as a self-governing people. At every turn they were being hampered and hauled up by the American Minister in Havana, acting under instructions from Washington; they never quite knew where they were or with whom they were dealing; and they saw that the Platt Amendment had been so stretched and distorted that it practically amounted to a system of governing Cuba from Washington without the bother and expense of a formal occupation of the island.

My recent visit to Cuba has convinced me that this pernicious and demoralizing policy has now been definitely abandoned. The American Minister in Havana no longer acts as wet-nurse to the Cuban Government; Washington no longer rains down demands and representations and veiled threats; the Platt Amendment is no longer used as a cloak for fussy meddlesomeness in the details of Cuban administration. Cuban-American relations, in short, are at last placed on a footing of reason, equity, and mutual

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self-respect. Two factors above all others are responsible for this transformation. One is the accession to the American Presidency of a man of wide and tolerant outlook, with a sound conviction that all peoples who aspire to be self-governing must draw their strength from within and must learn by doing and not by being either coddled or coerced by some external agency. The other factor is the accession to the Cuban Presidency of a man of the highest character, devoted to his country's good, of wide business experience, trusted by his fellow-citizens of all classes, and endowed with a decisive and energetic temperament. Cuban-born and American-educated, a dashing fighter in the Spanish wars, the manager for many years of the largest sugar-plantation in the island, a sportsman and a gentleman, President Menocal is one of the most interesting and inspiriting personalities that have yet appeared on the stage of Cuban public life. He is new to politics, but he has shown in the last nine months that he can play the game successfully and still keep it at a high level. That there should be installed in the Cuban Presidency an Executive of whom one can say with confidence, first, that he will maintain order inflexibly, secondly, that his patriotism is guided by a statesmanlike insight into realities, and thirdly, that he will rigorously safeguard the interests of the Government and the people in awarding contracts and concessions — this is, indeed, a development as surprising as it is auspicious. Since he assumed office last May President Menocal has gathered round him a band of upright and high-minded Cabinet Ministers; he has imported a healthier atmosphere into Cuban politics; with every month that passes he acquires a little more flexibility and a surer knowledge of the problems that confront him; he deserves and will, I believe, receive the utmost moral support that the Press and Government of the United States can give him. His accession to power and the uses to which he has demonstrated both his capacity and his intention to put it are, indeed, the most gratifying signs that have yet been vouchsafed that the day of "revolutions" is over and that Cuba is really advancing along the difficult road of self-government.

SYDNEY BROOKS.

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FROM THE MOUNTAIN

BY GEORGE STERLING

Let us go home with the sunset on our faces—
We that went forth at morn,
To follow on the wind's auroral paces,
And find the desert bourn
The frontier of our hope and Heaven's scorn.

Let us go home with the sunset on our faces—
We that have wandered far
And stood by noon in high, disastrous places
And seen what mountains are
Between those eyries and the morning star.

Let us go home with the sunset on our faces:
Although we have not found
The pathway to the inviolable spaces,
We see from holy ground
An ocean far below without a sound.

GEORGE STERLING.

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THE DIONYSIAN QUALITY IN VICTORIAN POETRY

BY LOUISE COLLIER WILLCOX

In looking over certain prominent, present-day poets, Masefield, Gibson, and Davies, one sees reaction in both form and substance; in form toward greater simplicity and austerity; in substance toward a deeper concern for the immediate. Turn over a volume of Gibson and Masefield, for example, and the very words used are those of common conversation. One opens haphazard at such perfectly simple, straightforward utterances as:

I think of the friends who are dead, who were dear long ago in the past.

Her heart is always doing lovely things
Filling my wintry mind with simple flowers.

He swabbed the decks with clouts till it was dry.

These bespeak a democratic sympathy with common life that refuses to be above the general understanding even in diction.

The Victorian, however, looked at poetry not only as a high tradition, but as a legitimate profession. This is not by any manner of means asserting that poetry, so seriously envisaged, is necessarily a higher art. Few German poets rank with Heine, who may be said to have treated poetry much as the modern English poets are doing. First he discarded literary conventions and strove definitely to reproduce in his verse the spontaneity and naturalness of daily speech. Moreover, he appealed to very generally dispersed emotions and thoughts.

Returning to the Victorians, we find metaphysics liberally sprinkled over the work of Tennyson, Browning, Swinburne, Shelley, Wordsworth, and here and there an effort at it in that most concrete of workers, Keats. The quality we miss

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in the Georgian poets of to-day and find in the greater Victorians may be called Dionysian after Nietzsche.

Nietzsche writes in a most explanatory passage:

"Dionysian art seeks to convince us of the eternal joy of existence; only we are to seek this joy not in phenomena, but behind phenomena. We are to perceive how all that comes into being must be ready for a sorrowful end; we are compelled to look into the terrors of individual existence, yet we are not to become torpid; a metaphysical comfort tears us momentarily from the bustle of transforming figures. We are really for brief moments primordial being itself and feel its indomitable desire for being and joy; the struggle, the pain, the destruction of phenomena now appear to us as something necessary, considering the surplus of innumerable forms of existence which throng and push one another into life, considering the exuberant fertility of the universal will. We are pierced by the maddening sting of those pains at the very moment when we have become, as it were, one with the immeasurable, primordial joy in existence, and when we anticipate in Dionysian ecstasy the indestructibility and eternity of this joy. In spite of fear and pity we are the happy living beings, not as individuals, but as the one living being with whose procreative joy we are blended."

This passage, when it touches upon the necessity of the destruction of phenomena to make room for the innumerable forms of existence thronging and pushing into life, comes close to the Bergsonian philosophy of change. If one were striving carefully to distinguish between the Georgian, or present, and the Victorian method of the poets to realize the whole of life, one would say that the Georgian method is one of inclusion; the pointing out of phenomena heretofore looked upon as negligible; while the effort of the Victorians was a schooling in identification. In innumerable ways they repeated, there is a bond of union; all things are interconnected, interpenetrated, interpermeable, and are, therefore, largely considered one and whole. It is the difference between analysis and synthesis. This synthetic effort of the mind dictated entirely Swinburne's poem "Hertha." Of this poem there is an amusing and well-authenticated anecdote. Swinburne had read Emerson's "Oversoul" with no little irritation. Fancy the feeling of Swinburne, Apollonian by nature, French and Greek by culture, coming upon the passage: "We live in succession, in parts, in particles.

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Meantime within man is the soul of the whole; the wise silence; the universal beauty to which every part and parcel is equally related; the eternal one." In despite of irritation the immediate result of Swinburne's reading was the greatest philosophic poem he ever wrote:

I am that which began;
Out of me the years roll;
Out of me God and man;
I am equal and whole.
God changes and man and the form of them bodily; I am the soul.
. . . . . .
I the mark that is missed
And the arrows that miss,
I the mouth that is kissed,
And the breath in the kiss,
The search, and the sought and the seeker, the soul and the body that is.

It is not known whether Swinburne ever knew Emerson's poem in the same vein:

Let the red slayer think he slays,
Or if the slain think he is slain,
They know not well the subtle ways
I keep and pass and turn again.
. . . .
They reckon ill who leave me out,
When me they fly I am the wings;
I am the doubter and the doubt,
And I the hymn the Brahmin sings.

It has been the function of Apollo to distinguish between the beautiful and ugly; to exclude the undesirable and exalt the chosen; therefore to draw lines and fair ones in the world; to define, to limit, to make a harmonious and lovely representation of life. It was the function of Dionysius to escape, whether by religious ecstasy or by the intoxication of the vine, or by the wayward loosening of the shackles of the individual, to escape limitation; to destroy whatever pretended to completion; to break down barriers; to identify the self with the whole of life and nature; and to exalt that chaos which preceded the division of life into light and darkness.

To return to Nietzsche, who first pointed out clearly these distinctive impulses of thought and art: "Apollo vanquishes the suffering of the individual by the radiant glorification of the eternity of phenomena; here beauty

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triumphs over the suffering inherent in life. . . . In Dionysian art and its tragic symbolism the same nature speaks to us with its true, undissembled voice. 'Be as I am!' amidst the ceaseless change of phenomena the eternally creative primordial mother, eternally impelling existence, self-satisfying eternally with this change of phenomena."

The immediate answer of any artist of Apollonian training to a mystical Dionysian tendency is: This is inartistic; just as it is the present-day reply to the futurist painters and sculptors. Art, would the traditionalists say, is the careful barring out of the ugly and the inspired choice of the beautiful, or at any rate of the clearly interesting? Not at all, is the answer of the futurist and the cubist and the synchronist; art is any possible creation that is a part of life and nature.

The Dionysian element in life, then, is that striving which makes for realms beyond the bounds of logically defined reason; a realm highly reprobated by such writers as Mr. Santayana and Vernon Lee, to whom the long tradition of human logic fulfils the whole gospel of life.

"Undoubtedly," writes the former, "actual spirit is simple and does not know how it builds; but for that reason actual spirit does not really create or build anything, but merely watches, now with sympathetic, now with shocked attention, what is being created and built for it."

Keats, of all the Victorians, was the most perfect example of an Apollonian poet. When he wrote the "Ode to a Grecian Urn" he was entirely Apollonian, but when in the "Ode to a Nightingale" he remembered how often he had been "half in love with easeful death" and yearned again "to cease upon the midnight with no pain," he was verging upon the Dionysian mode of consciousness, as he was more especially in "Endymion" when he answers the question, "Wherein lies happiness?" with,

> In that which becks
> Our ready minds to fellowship divine,
> *A fellowship with essence; till we shine*
> *Full alchemized and free of space.*

This same "fellowship with essence" was a most constant presence with Wordsworth, who aimed at Dionysian results, not only after the Georgian method, the discarding of chosen material and lifting up of the commoner and

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more general aspects of life, but by the real Dionysian *Berauschung*.

> There I beheld the emblem of a mind
> That feeds upon infinity, that broods
> Over the dark abyss, intent to hear
> Its voices issuing forth to silent light
> In one continuous stream; a mind sustained
> By recognitions of transcendent power,
> In sense conducting to ideal form;
> In soul more than a mortal privilege.

Further on in the same passage he speaks of this power to feed upon infinity as being the power by which all higher minds deal with the whole compass of the Universe. He extols common life and the childlike mind and the connection of one sense by another because all these lead to a sense of the community and interrelation of life. Our childhood, he assures us

> Sits upon a throne
> That hath more power than all the elements.
> I guess not what this tells of Being past
> Nor what it augurs of the life to come;
> But so it is.

Again we strike the Dionysian note in the joy

> Of elevated thoughts; a sense sublime
> Of something far more deeply interfused
> Whose dwelling is the light of setting suns,
> And the round ocean and the living air,
> And the blue sky and in the mind of man;
> A motion and a spirit that impels
> All thinking things, all objects of all thought
> And rolls through all things.

He is quite sure that our birth is but a sleep and a forgetting and the soul that cometh from afar has not altogether lost its relation with the totality of life,

> But trailing clouds of glory do we come.

It is by this dim sense, he feels, that listening to the notes that are the ghostly language of the ancient earth, man drinks in visionary power. The soul remembering *how* she felt, but not *what* she felt,

> Retains an obscure sense
> Of possible sublimity whereto
> With growing faculties she doth aspire.

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In such moments of the submergence of self,

> A holy calm
> Would overspread my soul, that bodily eyes
> Were utterly forgotten, and what I saw
> Appeared like something in myself, a dream,
> A prospect of the mind.

He cannot away with the thought that dust as we seem to be, there is a dark, inscrutable workmanship reconciling discordant elements in life, making them cling together in one society, like harmony in music; he is sure when we will,

> Our souls have sight of that immortal sea
> Which brought us hither.

There is then no break that counts between the single soul and the great creative force which is the whole, for Wordsworth.

The Dionysian quality is shown in many forms in Shelley: in his reiterated desire to find unconsciousness in swooning or in ecstasy; in his sense of the continuity of life, before and after death; in his sense of all being in One. And again in his choice of terrible themes.

> I pant, I sink, I tremble, I expire,

was a repeated state with Shelley. He was known to swoon at the sweetness of daffodils, and in the "West Wind" Ode he speaks of sense fainting at the sweetness of flowers. In "Episychidion" he speaks of jonquils that dart their arrowy odour through the brain,

> Till you might faint with that delicious pain.

And of murmurs as from a hyacinth full of honey dew that kills "the sense with passion," and again a wild odour felt "beyond the sense."

Love and beauty come to him always "like echoes from an ante-natal dream." Death is merely being "made one with Nature" and in one case "a portion of the loveliness." "The One remains, the many change and pass."

> That light whose smile kindles the universe,
> That beauty in which all things work and move,
> That benediction which the eclipsing curse
> Of birth can quench not, that sustaining love
> Which through the web of being blindly wove

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By man and beast and earth and air and sea
Burns bright or dim, as each are mirrors of
The fire for which all thirst, now beams on me,
Consuming the last clouds of cold mortality.

Sleep has sights as clear and true
As any waking eyes can view,

is an assertion of his belief in subconscious experience. The "world's shadowy walls" were constantly disappearing, leaving his soul to sublime experiences.

Wild Spirit which art moving everywhere;
Destroyer and Preserver,

whom he hails in the "Ode to the West Wind," is the very name of Dionysius also.

I die, I faint, I fail,

in the "Indian Serenade" is again a Dionysian ecstasy as is his power to throw himself into the sensations of a cloud or wind. He loved all waste and solitary places because there we taste

The pleasure of believing what we see
Is boundless as we wish our souls to be,

And he loves as well all points where earth and ocean meet,

And all things seem only one
In the universal sun.

Like Wordsworth, he felt,

A spirit interfused around,
A thrilling silent life.

He knew how joy denies itself because it, too intense, is turned to pain. They are chiefly happy whose pleasure sought

Extinguishes all sense and thought.

It was "memories of an ante-natal life" that made this world seem less like a "penal hell."

But it is in his choice of terrible themes for his tragedies, above all, that Shelley shows himself a thorough Dionysian. For, unlike Apollo, Dionysius never avoids the terrible. It is Dionysius who realizes in the cosmic will the insistent demand for the destruction of the individual. In so far as life is a striving for personal satisfaction, in so far is

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it necessarily miserable and futile. The Dionysian welcomes the call of unknown and vaster forces regardless of their powers of destruction. Tragedy is, of course, founded upon destruction; it deals with the forces that are destructive of life, ties, bonds, of all static and peaceful conditions. It elevates, as Schopenhauer has pointed out, because it awakens the knowledge that mortal life is unworthy of profound attention. The Dionysian spirit invites the undaunted vision into eternity, and is undismayed by death and destruction because its thought is identified with the idea of eternal becoming. It attacks the traditional in the full conviction that creation itself is imperishable and will go on forever. It is ruthless with the temporal, aiming ever at the larger, the more unbounded creation. There are terrors, indeed, to the frail in the Dionysian vision. Who can face unflinchingly the thought of the vast emptiness of the interstellar coal-sacks of space? Who can look peacefully at the eternal unfolding of time, space, and causality? Not until the instinctive care for the survival of the individual is gone can the Dionysian spirit truly awaken and look out with impunity. This spirit admits the eternal contradiction; man's desire for rest, the static, the permanent, but realizes his growth consists in breaking the moulds in which these may be found, and making forward into vaster spaces.

Nietzsche makes a distinction between the Apollonian who triumphs in forms and consoles by their means, and the Dionysian whose outlook is in ecstasies. For only in veritable ecstasy can a human being still rejoice in the titanic and barbarous forces of destruction. Only in intoxication can a mother tear her son limb from limb as in *The Bacchæ*. Yet the Apollonian endures only through such outbreaks. Art—all art tends to become trite, formal, uninspiring and conventional by repetition, and the chaotic is its refuge and safety. Even the Venus of Milo and the Samothracian Niké, though they retain their historic grandeur, cannot be permanent exponents of consciousness. The moulds must be broken for newer and vaster ideas to enter.

With Whitman and Edward Carpenter, the Dionysian sense of the oneness of existence is perpetually present. Whitman cannot away with cataloguing various things in order to persuade that they are, after all, one thing. Carpenter, too, feels insistently how

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All things melt and run—if you only watch them long enough!
And you cannot imprison anything into one shape—it will surely give you the slip.
Nothing in essence dies, and nothing in mortal form remains.

Both these poets seem to turn from the tragic aspects of Dionysius and attempt to make the visage of eternity amiable and familiar. They forget the suffering Dionysius who himself underwent the agonies of dismemberment and exemplified all the sorrow of knowing two worlds at once, the limited and the limitless. Dionysius, according to the Greek conception, at least, even in the most wanton ecstasy, never lost the elements of majesty and terror. He aims, indeed, ever at the emotions and conceptions that are untrammeled and unbounded; knowledge and suffering are faced unflinchingly, and solace is offered only in the voluntary abdication of the ego and the sense of being one with the whole. Even Tennyson notes this sense in such poems as "The Higher Pantheism," "De Profundis," and "Flower in the Crannied Wall," as well as in such prose descriptions of trance as:

All at once, as it were, out of consciousness of individuality, individuality itself seemed to dissolve and fade away into boundless being, and this not in a confused state, but the clearest of the clear, the surest of the sure, the weirdest of the weird, utterly beyond words—when death seemed impossible—the loss of personality seemed no extinction, but the only true life.

The tradition reaches down even to William Watson, who writes of those moods when life stands

With hands
Stretched toward visionary lands,
Where vapors lift
A moment, and aërial strands
Gleam through the rift.

The Dionysian quality is noticeably absent from the work of the young Georgian poets of promise. We have not yet found an English poet of this generation who can give us a concentrated picture of the world, using the Apollonian means to a Dionysian end. But should the modern tendency to prefer the commonplace and trite image and symbol continue, much that is beautiful and vital in poetry will go lost. For great poetry must strive after great associations. It will also prefer forms of distinction and elevation, and a diction definitely adapted, by tradition and convention, to the uses of poetry.

Louise Collier Willcox.

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PORTRAIT OF A LADY: MRS. PEPYS

BY GAMALIEL BRADFORD

THE psychographer is apt to be hampered in his study of women by lack of material. Men of energy and vigor make themselves felt in the world at large. Even if they write little, they have a vast acquaintance, come into close contact with those who can write, and all their doings and sayings of importance are narrowly watched and minutely chronicled. In making their portraits one is apt to be embarrassed rather by the excess of material than by the lack of it.

With women this is not the case. Those who have public careers, historical figures, artists, writers especially, are approachable enough. And there is a great temptation to portray these mainly, if not exclusively. Yet so far from being all of the sex, they are not fairly representative, perhaps one may even say they are not normally representative. It is the quiet lives that count, the humble lives, the simple lives, lives perhaps of great achievement and of great influence, but of great influence through others, not direct. The richest and fullest and most fruitful of these lives often pass without leaving any written record, without a single trace that can be seized and followed to good purpose by the curious student. No doubt such women would prefer to be left in shadow, as they lived. But the loss to humanity in the study of their nobility and usefulness is very great. And above all, in portraying women of another type we should not forget these fugitive and silent figures who ought to be occupying the very first place in the history of their sex.

No one will maintain that Elizabeth, wife of Samuel Pepys, was an especially noble or historic personage, or that her influence in the world, direct or indirect, was of a character to deserve any particular celebration. She appears, however, to have been thoroughly feminine, and she is exceptional and interesting in this one point at least, that she has not left

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posterity a single written line, yet she is known to us, from the diary of her husband, with an intimacy and an accuracy of detail which we can hope to acquire with few personages who lived so long ago. George Sand remarked justly of Rousseau's *Confessions,* that while he was without doubt at liberty to expose his own frailty, he had no right, in doing so, to expose the frailty of others. Right or wrong, Pepys certainly exposed his wife, in all her humanity, to the curious gaze of those who care to read. If we had a full volume of her letters, we could probably add something to certain phases of her experience, and more than anything else we should be glad to have her frank and daily comment on her husband. But, as it is, we know her as we know few of our living acquaintances and not all of our intimate friends.

When she first sailed into our ken, she was twenty years old. Pepys married her at the early age of fifteen. It was a pure love-match. He was poor and she was poor. Her father was a French Protestant. He was unsuccessful and unthrifty, and Pepys helped the whole family, so far as he could. Of Elizabeth's early life we know little except that her Catholic friends tried to convert her. Of her married life before the diary begins, in 1660, we know nothing.

She was eminently beautiful. Pepys assures us of this, and he was a connoisseur. Nor was this a lover's illusion on his part. Years after his marriage, when too much friction had set in between them, he reiterates his opinion, and notes with pride that she is not outshone by the greatest beauties of the time: "My wife, by my troth, appeared as pretty as any of them; I never thought so much before; and so did Talbot and W. Hewer, as they said, I heard, to one another." The admiring husband does not attempt details, and perhaps it is as well. In the likenesses that have come down to us we do not discern any singular charm: a forehead rather full and prominent, eyebrows gracefully arched, a strongly marked nose, the mouth somewhat heavy, with lips, especially the upper, protruding.

That Mrs. Pepys's dress occupied a large place in her thought, as well as in her husband's finances, goes without saying. He wishes her at all times to look well, but is not always eager about paying the bills. She follows the fashions, but not, it would seem, too curiously. Black patches, pendent curls, enhance or disfigure her natural charm. She cuts her dresses low in the neck, considerably to Pepys's dis-

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gust, "out of a belief, but without reason, that it is the fashion." When worldly prospects are favorable, she gets gifts—for example, a new silk petticoat, "a very fine rich one, the best I did see there, and much better than she desires or expects." On the other hand, if a speculation—or a dinner—goes awry, her adornments are viewed less amiably. The purchase of a costly pair of earrings "did vex me, and brought both me and her to very high and very foule words from her to me."

As this shows, she was in many ways a child; and what else should she have been? Married at fifteen, after a wandering and uncertain youth, how could she have attained solid training or any staid capacity? When she came to Pepys she had apparently little education, but it is clear that she had a quick mother wit, so that with the passage of years she probably acquired as much as might decently justify the eulogy of her delightful epitaph, "*forma, artibus, linguis cultissima.*" Her husband was vexed by her false spelling, which must, therefore, have indeed been atrocious. But in his leisure hours he taught her arithmetic, geography, astronomy, and declares, in his patronizing way, that she made good profit.

She was a considerable reader, perhaps not of very solid literature, but at any rate of the poets and novelists. When obliged to remain at home, with a new Easter bonnet, on account of Pepys's indisposition, she consoles him, if not herself, by reading Fuller's *Worthies*. On other similar occasions she reads Du Bartas or Ovid. Her erudition at times even produces a great effect on her husband, as when she assures him that the plot of a popular play is taken from a novel, goes home and puts the passage before him; also when she laboriously copies out a letter on jealousy from the *Arcadia* and submits it to him for his edification. The romances that she loved she knew by heart, for her mentor finds occasion to check her for "her long stories out of Grand Cyrus, which she would tell, though nothing to the purpose, nor in any good manner."

When she was married she had not many accomplishments. But Pepys wanted a wife who would do him credit, and took pains to teach her. Also, it must be added, that music was one of the greatest pleasures of his life, and he tried hard to share it with her. Sometimes he is encouraged. She really has quite a voice, if it were not that she has no ear. And

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even if she has no voice, she is so deft with her fingers that he is sure she will play the flageolet charmingly. Then it ends too often in the wail of the musical temperament over the temperament that is not musical and never can be. With drawing it is somewhat better. The lady makes progress, she decidedly outdoes Peg Penn, which is gratifying, and in one case, at least, her husband defers abjectly to her esthetic judgment. I "did choose two pictures to hang up in my house, which my wife did not like when I came home, and so I sent the picture of Paris back again."

Mrs. Pepys's enthusiasm for her artistic pursuits was so great as occasionally to bring reproach upon her for neglect of her household duties. But in general we may conclude that she was a faithful, a devoted, and an interested housekeeper. In a girl of twenty some slips were surely to be looked for. "Finding my wife's clothes lie carelessly laid up, I was angry with her, which I was troubled for." The record, however, usually indicates both intelligence and energy. "My poor wife, who works at home all day like a horse," remarks the not always appreciative husband. There are spurts of cleanliness when the lady and her maids rise early and labor late with a grim determination to rid their belongings of dirt, that monster of the world. Every woman will sympathize and will resent the unfeeling comment of the observing cynic: "She now pretends to a resolution of being hereafter very clean. How long it will hold I can guess."

Washing seems to have been done with a thoroughness which makes up for its rarity. Washing-day upsets the whole household and with it Mr. Pepys's temper, because he had invited friends to dinner and does not see how preparations could possibly be made to receive them. Nevertheless, I imagine the guests were received, and had no suspicions. A good housewife can work those miracles. At another time he goes to bed late and leaves mistress and maids still washing, washing.

The lady was a cook, too, and no doubt a good one. Many a dinner of her getting is minutely detailed and many more of her supervision. As has happened to others, her new oven bakes too quickly and burns her tarts and pies, but she will "know how to do better another time." And this is a little touch of character, is it not?

But the sweetest picture of Mrs. Pepys at work is drawn

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by her husband's memory, as he looks back from prosperity on cottage days and simple love. "Talking with pleasure with my poor wife, how she used to make coal fires, and wash my foul clothes with her own hand for me, poor wretch! in our little room at my Lord Sandwich's; for which I ought forever to love and admire her, and do; and persuade myself she would do the same thing again if God should reduce us to it."

Riches diminish some cares and swell others. In the little room at Lord Sandwich's the servant problem was not serious. Afterwards it became so. A procession of sweet old English names, Nells and Janes and Nans and Debs, bobs and dances through the diary, sometimes in tears, sometimes in laughter, sometimes trim, dainty, and coquettish, sometimes red-armed and tousle-headed. Some please master and mistress both, some please only the mistress, some, alas!—not the red arms and tousled heads—please only the master and fill that quaint and ancient Pepysian domesticity with tragedy and woe. Nothing, absolutely nothing, not even her children, tests a woman's character so much as do her servants. From all that we read, it seems safe to assume that in the main Mrs. Pepys showed judgment, common sense, and balance in the treatment of hers. If she flares out occasionally, we must remember that she was very young and that she lived with servants in very close intimacy. I fancy that her voice had deserved weight in that pretty little scene which took place in the garden and the moonlight. "Then it being fine moonshine with my wife an hour in the garden, talking of her clothes against Easter and about her maydes, Jane being to be gone, and the great dispute whether Besse, whom we both love, should be raised to be chamber-mayed or no. We have both a mind to it, but know not whether we should venture the making her proud and so make a bad chamber-mayde of a good-natured and sufficient cook-mayde."

Probably not even wayward affection has wrecked domestic peace so frequently as money, or the lack of it. Was Mrs. Pepys a good economist? She was woman enough, human enough, to take delight in comfort and luxury. A new hanging, a new picture, a new bit of furniture enchanted her, as did a frock or a jewel. The purchase of the family coach was a matter of manifest rejoicing. Also, she was not perfect in her accounts, and, when called to a

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stern audit by her source of supply, was forced to admit that she sometimes juggled with the figures, a confession truly horrible to one whose Philistine morality strained at a commercial gnat and swallowed a sexual camel. It "madded me and do still trouble me, for I fear she will forget by degrees the way of living cheap and under sense of want." Nevertheless, her management is usually approved. After all, she costs less than other wives, a good many; and occasions of expense for her are not so frequent, all things considered. Even, in one felicitous instance, she receives praise, of that moderate sort which must often content the starved susceptibilities of matrimony. "She continuing with the same care and thrift and innocence, so long as I keep her from occasions of being otherwise, as ever she was in her life."

One question that occurs frequently in regard to Mrs. Pepys is, Had she friends? Apparently she had none. Perhaps her vague and troubled youth had kept her from contracting any of the rapturous intimacies of girlhood. If she had done so, they did not survive marriage. For Pepys was not the man to let his wife's close companions pass without comment. He would have hated them—or loved them—and in either case made his house not over-pleasant to them. Perhaps he had done so before the diary begins. At any rate, while Mrs. Pepys had many acquaintances, we do not see that she had one real confidante to whom she intrusted the many secrets that she obviously had to intrust. And in consequence she was lonely. The diary shows it in touching fashion. Mr. Pepys recognizes it, but, with a certain cold-bloodedness, prefers having her lonely at home to having her dissipated abroad. So she is left to gossip and bicker with her servants, to pet her dogs and birds, and to quarrel with her husband. Even of her own family she sees little. Pepys did not seek their society, because they always wanted something. And they did not seek his, because they did not always get what they wanted, though with them, as with others, he was usually just and often generous.

It must not, however, be supposed that Mrs. Pepys was a Cinderella, or that the maids in the kitchen were her sole society. Pepys was proud of her, proud of his house, proud of his hospitality, which enlarged as riches came. He took her about with him often to the houses of his friends. Now

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and again they made a journey together with great peace of mind and curious content. Also, few weeks passed that he did not bring some one home with him, for dancing, or music, or general merriment, and in all these doings Mrs. Pepys's share was greater or less. I think we can easily surmise her hand in that royal and triumphant festivity, the mere narrative of which breeds joy as well as laughter in any well-tempered disposition. "We fell to dancing, and continued, only with intermission for a good supper, till two in the morning, the music being 'Greeting,' and another most excellent violin, and theorbo, the best in town. And so with mighty mirth, and pleased with their dancing of jigs afterwards several of them, and among others, Betty Turner, who did it mighty prettily; and, lastly, W. Batelier's 'Blackmore and Blackmore Mad'; and then to a country dance again, and so broke up with extraordinary pleasure, as being one of the days and nights of my life spent with the greatest content; and that which I can but hope to repeat again a few times in my whole life. This done, we parted, the strangers home, and I did lodge my cozen Pepys and his wife in our blue chamber; my cozen Turner, her sister, and The. in our best chamber; Bab, Betty, and Betty Turner in our own chamber; and myself and my wife in the maid's bed, which is very good. Our maids in the coachman's bed; the coachman with his boy in his settle-bed, and Tom where he uses to lie. And so I did, to my great content, lodge at once in my house, with the greatest ease, fifteen, and eight of them strangers of quality." And surely Mrs. Pepys was the queen of the feast, even though her name is not once mentioned.

Moreover, she had the social instinct, and gave her husband advice as to his conduct in the world, which he himself recognizes as excellent, and resolves to follow it. "I told all this day's passages, and she to give me very good and rational advice how to behave myself to my Lord and his family, by slighting everybody but my Lord and Lady, and not to seem to have the least society or fellowship with them, which I am resolved to do, knowing that it is my high carriage that must do me good there, and to appear in good clothes and garbe."

In one of Pepys's diversions, which meant more to him than almost any other, Mrs. Pepys was allowed to share to a considerable extent, and that was theater-going. It would

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seem that she entered into it as heartily as did her husband and with quite as intelligent criticism. In one of his delightful spells of conscience-ache he reproaches himself for going to a play alone after swearing to his wife that he would go no more without her. But he sometimes permits her to go alone, and very often enjoys her company and her enthusiasm. Occasionally she differs from him without shaking his judgment. But they agree entirely in their delight in Massinger's "Bondman," and as entirely in their contempt for "A Midsummer-Night's Dream."

When one considers the frailties that resulted from Pepys's social relations, one is tempted to ask how Mrs. Pepys was affected in this regard. So far as we can judge, it was not an age of very nice morality, at any rate among the upper classes. Wives as fair and as respectable as Pepys's seem to have entertained the addresses of lovers more or less numerous. But I think we may assume that the lady we are concerned with was all that a wife should be. Pepys himself was undoubtedly of that opinion, and he was an acute and a by no means partial judge. He does, indeed, have tempestuous bursts of jealousy. There was a certain dancing master, Pembleton by name, who caused a great deal of uneasiness. It is pretty evident that Mrs. Pepys coquetted with him, perhaps intentionally, and drove her husband at moments to the verge of frenzy, perhaps intentionally. It "do so trouble me that I know not at this very minute that I now write this almost what either I write or am doing." But it blows over with the clear admission that the parties had been nothing more than indiscreet.

Also, I divine a little malice in that pleasant incident of later date when Mrs. Pepys appears with a couple of fine lace-pinners, at first causing infinite disquiet by the suspicion that they were a present and then dispelling this disagreeable state of mind by another hardly less disagreeable. "On the contrary, I find that she hath bought them for me to pay for them, without my knowledge."

Under other aspects of morality, Mrs. Pepys perhaps impresses us less favorably. She would seem to have had faults of temper, faults of tongue, to be at times inclined to deception, at times to violence. Here again her age must be remembered, her age and her training. I imagine that in some moral points she was more practical than her husband, less inclined to hair-splitting nicety. I

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would give a good deal to know what she thought of his precious business of vows, his fine distinctions as to indulgence and abstinence, his forfeits, his pretexts and subterfuges. When he made up for a vow broken in an extra visit to the theater by getting her to substitute one of her visits which she could not use, I can see her soothing agreement, "Oh, yes, Sam, of course, why not?" And I can see also the fine smile twitching the corners of her pretty mouth as she watched the departing Phariseeism of those sturdy English shoulders.

What religion she had back of her morals—or immorals—we do not know. Although, in the enthusiasm of first love, she announced that she had a husband who would keep her out of popery, she doubtless soon found that there was not much spiritual comfort to be had from him who in good fortune boasted of sharing the utter irreligion of Lord Sandwich, yet when things went wrong dreaded abjectly that the Lord God would punish him for his sins. Curious depths of inward experience suggest themselves from the fact that Mrs. Pepys became a Catholic and received the sacrament without a single suspicion on the part of her watchful inquisitor. Yet, after all, there may have been little spiritual experience, but merely a deft confessor and an unresponsive world.

So it is hard to find out whether Mrs. Pepys loved God, and it is equally hard to find out what we are even more eager to know, whether she loved her husband. In considering the point, we must remember first that the world saw him quite other than we see him in the diary. We see the lining of his soul, somewhat spotted and patched and threadbare. The world at large saw the outer tissue, which was really imposing and magnificent. Not only was he a useful, prosperous, successful public servant and man of business, but he had more than the respect, the esteem and admiration of the best men of his time as a scholar and a gentleman. Here, therefore, was a husband to be proud of.

Pride does not make love, however. And we know well that folly and even vice often hold a woman's heart closer and longer than well-laundered respectability. It would appear that Mr. Pepys might have combined all the desired qualifications with peculiar success. Yet as to the result, I repeat, we do not know. And it is strange that we do not. Every shade of the husband's varying feelings is revealed

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to us, but what the wife feels he does not record, because, alas! he does not greatly care. Or rather, may we say that he assumed that she worshiped him? And may we not go further and conclude that he was right in so assuming, and that for one word of real affection she was ready to lay all her whims and errors and vagaries at his feet? Is not this attitude quite compatible with understanding him completely?

His family she did not love, nor they her. The case is not unprecedented. Very likely she tried her best. Very likely they tried their best. But she was young and fashionable and quick-witted. They were old, some of them, and all of them antique. Then they adored Sam, who was making the family. Well, so did she. But she knew Sam and did not care to have his Sunday attitudes and platitudes thrust upon her perpetually.

If they had only had children, how different it might all have been. Pepys as a father would have furnished one more delight to the civilized world. Mrs. Pepys as a mother would have come in for some bad half-hours, but she would have been more cherished and even more interesting. There is little evidence that Pepys regretted his childless state, or that his wife did. But we can guess how it was with her.

I have said that Pepys's feelings toward his wife can be seen in minute detail all through the diary. The study of them is profoundly curious. That he was an ardent lover before marriage is manifest from many casual observations, notably from one of the most high-wrought and passionate entries in the entire record. "But that which did please me beyond anything in the world was the wind-musique when the angel comes down, which is so sweet that it ravished me, and indeed, in a word, did wrap up my soul so that it made me really sick, just as I have formerly been when in love with my wife."

The calm daylight of matrimonial domesticity paled these raptures to a very considerable extent. It has done so in other cases. The dull wear of duns and debts, the friction of household inconveniences, an ill-cooked dinner, an ill-dusted study—these things may not shatter the foundations of love, but they do a little tarnish its fresh trim and new felicity. Yet, though the husband is no longer made "almost sick" by the lover's rapturous longing, there are plenty of instances of a solid habit of affection, growing

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firmer and more enduring with the passage of years. When she is away on a visit, his heart is heavy for the absence of his dear wife, all things seem melancholy without her, and he is filled with satisfaction at her return. When she is ill, suddenly and violently ill, his anxiety and distress prove to him his great love for her, though, when the crisis is past, his incomparable candor adds, "God Forgive me! I did find that I was most desirous to take my rest than to ease her, but there was nothing I could do to do her any good with." When the world goes wrong and life seems nothing but toil and trouble, he turns to her and gets her to comfort him.

It is true that that relentless diary has scenes as painful as they are curious, scenes in which the estimable naval secretary and friend of Newton and Evelyn comports himself after a fashion that would be disgraceful in any station of life. There are outbursts of jealousy and fits of temper; kickings of furniture and trinkets smashed in spite; abuse, blows, and nose and ear pullings of intolerable indignity. The fault is confessed, and temporarily forgotten. "Last night I was very angry, and do think I did give her as much cause to be angry with me." Then, some wretched trifle, an ill-prepared dish, a shilling misspent, a foolish fashion followed, sets all awry again. I do not know where in literature to find a fiercer or more cutting scene of domestic infelicity than that of the tearing of the old love letters. Mrs. Pepys had written a remonstrance as to some phase of ill-treatment. "She now read it, and it was so piquant, and wrote in English, and most of it true, of the retiredness of her life, and how unpleasant it was; that being wrote in English, and so in danger of being met with and read by others, I was vexed at it, and desired her and then commanded her to tear it. When she desired to be excused, I forced it from her and tore it, and withal took her other bundle of papers from her. . . . I pulled them out one by one and tore them all before her face, though it went against my heart to do it, she crying and desiring me not to do it, but such was my passion and trouble to see the letters of my love to her . . . to be joyned with a paper of so much disgrace to me and dishonor, if it should have been found by anybody."

Things like this, one would think, could never be forgotten. Yet they are. "After winter comes summer," says

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The Imitation, "after the night the day, and after a storm a great calm." Great calms came in the Pepys family also. "I home, and to writing and heare my boy play on the lute, and a turne with my wife pleasantly in the garden by moonshine, my heart being in great peace, and so home to supper and to bed." Life is indeed made up of delightful—and pitiful—contrasts.

Undoubtedly the worst domestic troubles of the Pepys were caused by the husband's extreme susceptibility to feminine charm. "A strange slavery that I stand in to beauty," he remarks, with that pleased amazement at himself which is one of his greatest charms. The detail of these infatuations—how they were mildly resisted at first, and how they grew and developed to an extent hardly possible for a man so situated, in a less scandalous age, how they were indulged, and then repented, and again indulged, and repented again—belongs to the history of Mr. Pepys—and of human nature. Mrs. Pepys knew little of them, though she divined much.

What does concern her is the very instructive fashion in which she gradually gained power over her husband by these infidelities themselves. She knew well that he loved her at heart. At any rate, she knew that he was held to her by bonds of habit and circumstance which a man of his temperament could never shake off. Therefore, she learned that by the aid of jealousy and tears and scenes she could in time mold him to almost anything she wished. This experience began with outsiders, with Mrs. Pierce and Mrs. Knipp. A little well-placed anger—certainly not feigned—was found to accomplish wonders. "Which is pretty to see how my wife is come to convention with me, that, whatever I do give to anybody else, I shall give her as much, which I am not much displeased with." By the time the crisis of the maid, Deb Willett, had arrived, Mrs. Pepys had become past mistress in the art of working on her husband's sensibilities. Note, that I do not mean that this was a coldly deliberate process; simply that all the instinct of her outraged affection concentrated itself on energetic means of overcoming this foolish and recalcitrant male, and triumphed magnificently. Deb is wooed and forsaken and wooed again and banished. The man's will is bent, and bent, and bent, till he comes right square down upon his knees: "Therefore I do, by the grace of God,

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promise never to offend her more, and did this night begin to pray to God upon my knees alone in my chamber, which God knows I cannot yet do heartily; but I hope God will give me the grace more and more every day to fear Him and to be true to my poor wife."

Even after this the symptoms recur, but more mild, and in that pathetic blank stop which ends the diary because of failing sight, the phrase "my amours to Deb are past," seems to leave the wife victorious, permanently, we hope.

So, after we have known her for nine years in the closest intimacy, she steps out from us into great night. A few months later, still a young woman, she died; but she dies for us with the last line of her husband's imperishable record. In that record it may be said, in a certain sense, that she shows at the greatest possible disadvantage, as we may in part realize, if we consider what a similar record would have been kept by herself. Yet even seen as her husband reports her, we feel that she had, with much of a woman's weakness, much also of a woman's charm.

GAMALIEL BRADFORD.

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MUSIC AND DRAMA

SIGNIFICANT HAPPENINGS OF THE MONTH

A Masterly Study of a Type (A Belated Appreciation).—A New Comic Opera after Molière: Signor Wolf-Ferrari's "L'Amore Medico"

BY LAWRENCE GILMAN

It is to be supposed, and indeed hoped, that we are gradually in this country developing a theater of national types: types that are humanly and naturally, not conventionally and artificially, American—types that are not designed after the familiar patterns of the theatrical outfitters. It is not often, to be sure, that one discovers in our contemporary theater a dramatic portrait that is unmistakably and vividly of our own time and place; but occasionally that most delightful and meritorious encounter takes place—and it takes place, we believe, more frequently than it did.

It will always be among our most poignant regrets that chance and circumstance prevented our seeing, during more months than we like to think of, one of the most masterly studies in characterization that our stage has shown in many a month. We mean the comedy that has been made out of Mr. Montague Glass's "Potash and Perlmutter" stories, and that has been playing to ecstatic audiences for many weeks at George M. Cohan's Theater.

The extraordinary effect of reality and pungent truth which the piece conveys is due partly, of course, to the triumphs of observation, insight, sympathy, humor, and vivid delineation which Mr. Glass achieved in his stories; but even more is it due to the superb characterizations of the two partners, Abe Potash and Mawruss Perlmutter, by Mr. Barney Bernard and Mr. Alexander Carr. Granted that the play itself, as a piece of dramatic construction, as an action, does not stand upon a very high level of artistic excellence, with its numerous strokes of sentimental melodrama and obvious farce. But it is made into something very real and

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exceptional and delightful by the complete fidelity and surpassing veracity of the two chief impersonations. The Abe and Mawruss of Mr. Bernard and Mr. Carr are genuine creations, two of the most brilliant and engrossing pieces of dramatic characterization that we have ever seen. They have stepped straight from the New York of our day. They are unmistakable—their reality, their pungent and racy naturalness, are enormous. Let no supercilious observer turn up his nose at the broad humors and the frankly sentimental appeals of this remarkable production. The unslumbering keenness, the shrewd sagacity, the loyalty, the deep and rather shamefaced tenderness, the temperamental force, of these wonderful people are denoted with inimitable art. We should be at a loss to point to a current impersonation more authoritative yet restrained than Mr. Carr's, more richly comic than Mr. Bernard's.

Mr. Swinburne once observed, with that sulphurous vehemence which makes his excursions in æsthetic appraisement so incomparably diverting, that there is a certain kind of literary tribunal "whose judgments are dictated by obsequious superstition and unanimous incompetence. When certain critics inform a listening world that they do not admire Marlowe and Webster — they admire Shakespeare and Milton—we know at once that it is not the genius of Shakespeare, but the reputation of Shakespeare, that they admire. It is not the man that they bow down to; it is the bust that they crouch down before." Surely we all—all those of us whose task (gratuitous enough, no doubt!) it is to form opinions concerning artistic phenomena—may pray to be delivered from that category; though the recognition of an excellence that is untrumpeted is so exhilarating a pastime that one wonders at the common hesitancy in indulging it. Is it that we are afraid to extol a beverage unless the name of a famous producer is blown in the bottle? Or are we too constantly haunted by that ever-present danger that the discovered swan may, after all, be only a goose? Potash and Perlmutter, and Mr. Bernard and Mr. Carr, have not, of course, been denied fame; but is it based upon just the sort of appreciation that is requisite?

It is said that ladies have died for love (there is no need to quote here Shakespeare's contemptuous remark concerning the erotic mortality of the *other* sex); but if they have,

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it must have been far back in some romantically fabulous past; for are they not in our day too busy, too profoundly concerned with more important matters, to " pay their final tribute to nature "—as Lamb called it—in any such gorgeously poetical fashion? However, we have it on the authority of Pascal that " le cœur a ses raisons que la raison ne connait pas "—so perhaps it is not so impossible, after all. But at least it is certain that Lucinda was dying of love—or, if it was not quite so bad as that, her adoring father, the plutocratic Arnolfo, feared that such was the case. Lucinda lived with her father in a splendid villa near Paris, in the days of Louis XIV.; and because Arnolfo saw that she was pining and pale and depressed, he showered upon her toys and trinkets and finery, even dolls; for he was not yet aware that she had ceased to be a child, and that her thoughts were no longer of dolls and music-boxes, but the very old and very trite thoughts that have perturbed adoring parents since the first love-song floated across primeval hills. In short, Lucinda loved young Clitandro, a cavalier. But they had not yet exchanged any of what Mr. Henley called " those sovran privacies of speech," for the simple reason that Clitandro, likewise enamoured of her, did not know that his love was requited. He had sung her a serenade outside the garden wall, but Lucinda's heart had turned to water at the sound of the beloved one's voice, and she had been unable to respond. So we might have had to take as a motto for this tale the haunting plaint of the greatest of sonneteers:

> O how shall summer's honey breath hold out
> Against the wrackful siege of battering days?

But summer lives on in the hearts of Lucinda and Clitandro, and indeed waxes amorously ecstatic; for naturally Lucinda finds a way to know her lover better—or, rather, Lucinda's maid does. For in Enrico Golisciani's libretto to Signor Wolf-Ferrari's opera, " L'Amore Medico," in which this amiable action unfolds, there are the familiar characters of operatic comedy: the shrewd and scheming maid, the thick-witted, elderly dupe (in this case Lucinda's parent), the disguised lover. So it comes to pass that Lisetta, the wily and dauntless maid, invents for Arnolfo's ears an alarming tale of Lucinda's illness; a quartet of learned doctors are hastily summoned (and here, after the fashion of

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L'Amour Médecin, upon which Golisciani has based his libretto, we are treated to some of Molière's favorite horse-play with the profession of medicine); and, after their incompetence has been demonstrated, Clitandro, the lover, masquerading as a younger and more resourceful healer, gets "the case," to his own and his beloved's complete satisfaction: for he tells the distracted Arnolfo that his daughter's trouble is, after all, a simple one, easily cured:

Semplicissimo!
Il male sta nell' anima.
Una maligna ubbia!
Un chiodo! Un' ossessione:
Volersi maritare!
Poveretta! Che voglia malinconia!
Si può esser più grulli di così?

In other words, Lucinda's trouble is merely that she thinks she wants to be married; and Clitandro, to oblige, will undertake to cure this distressing malady by marrying the lady himself—it will be, he assures the anxious Arnolfo, merely a bogus wedding, and so Arnolfo consents. Of course we are not at all surprised when, in the midst of the wedding festivities, the lovers quietly disappear, leaving the unsuspecting Arnolfo dancing to the music of their marriage feast.

This diverting little fable—consummately performed last month at the Metropolitan Opera House—is an excellent one for the purposes of operatic comedy; and, up to a certain point, Signor Wolf-Ferrari is just the man to write music for it. He had already, in his "Le Donne Curiose" and "Il Segreto di Susanna," displayed an exceptional gift of humor. We can think, indeed, of no living musician—among those who write for the theater, at least—who has so delicate a sense of comedy, and so easy a mastery of its musical utterance. In his two earlier comedies he worked with material that was extremely slight—that was, in fact, trivial—and which left one uncomfortably resentful at the thought of its alliance with music so artistic and so skilful as he had provided for it; for we have a stubborn and doubtless perverse conviction that music should be reserved for finer issues than those involved in mere farce. But in this pretty comedy after Molière there is much that is fit subject-matter for musical expression. There is, chiefly, the passion of Lucinda and Clitandro, which forms a rich lyric background for the contrasting humors of the piece. Besides this, we have

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the ludicrous perturbations of poor Arnolfo, and the squabbles of the learned medicos (not so brilliant a work of comic genius, this cleverly schemed quartet, as the wonderful quintet of contentious Hebrews in Strauss's "Salome"). These various elements, passionate and gay, sentimental and satirical, have been handled with extraordinary skill, extraordinary art, by Signor Wolf-Ferrari. The score is full of delights for the connoisseur, the appreciator of fine and resourceful craftsmanship. And for the music-lover who has no interest in the intellectual side of a score there is much that will be happily remembered—as the charming scene in which Arnolfo seeks to beguile his love-sick daughter with gifts; as the truly delightful passage in the second act wherein are blended the love-making of Lucinda and Clitandro and the dialogue of Arnolfo and Lisetta over their game of chess, as the captivating wedding-music of the finale.

There is only one important trouble with Signor Wolf-Ferrari, and that is a fundamental one, difficult to cure: he is not over-scrupulous in his attitude toward his inspirations (we shall call them that for convenience). That is to say, he is too easily satisfied. For every composer who is not a genius of the first rank, the process of creating music must be largely one of rejection, if the issue is to be a score of distinction and consequence. The act of composition is almost the easiest thing in the world, for a musician of aptitude and training, if you are not too particular about the quality of the ideas you accept. The dividing-line between a musical idea that is salient, eloquent, unforgetable, and one that is trite and flat, is as narrow as a hair and as wide as the firmament. The pitch of a single note in the melody, the position of a single tone in the harmony, may make all the difference between a lifeless banality and an inspiration that will ravish the ear of the world forever. Now in the music of Signor Wolf-Ferrari there are, in spite of its refinement, its spirit, its effectiveness, and its great skill, far too many banalities—ideas without distinction, ideas that have been too casually accepted, ideas that have neither saliency nor beauty. "To every man," wrote the most poetic of philosophers, "there come noble thoughts that pass across his heart like great white birds." It is not easy to wait, patiently and in humbleness, for this inevitable transit; but for the few who do, the reward is immeasurable.

LAWRENCE GILMAN.

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THE BOOK OF THE MONTH[1]

BY F. M. COLBY

As a political commentator Wu Ting-Fang seems too much under the constraint of diplomatic expediency to say anything that might set the mind going, and his remarks on American government and public men are elementary and non-committal. In this field, to use a phrase of Mr. Howells, he "does his boldest thinking along the safest lines." He believes, for example, that four years is too short a term for the President, that the divergence of State laws should be remedied, that people often vote as their bosses dictate, that railway stock is too often watered, that our customs regulations are obnoxious, and so forth, and even for these mild disparagements he often hastens to atone:

> If I should be asked my opinion, notwithstanding all that I have above said concerning the United States, I should have to acknowledge that I believe that America is one of the few nations which have fairly well approximated the high ideal of a well-governed country.

On the other hand, when he writes in his own person as an observer of our morals and manners he is candid, critical, sometimes provocative, and always interesting. Despite his long stay in this country, and his many American friends, he cannot disguise the fact that at bottom he remains altogether alien. To this alone the book owes its value and not to its more or less mechanical flourish of international benignity.

> In writing the following pages . . . I have not scrupled to frankly and freely express my views, but I hope not in any carping spirit; and I trust my American readers will forgive me if they find some opinions they cannot indorse. I assure them they were not formed hastily or unkindly. Indeed, I should not be a sincere friend were I to picture their country as

[1] *America, Through the Spectacles of an Oriental Diplomat.* By Wu Ting-Fang. Frederick A. Stokes Company, New York, 1914.

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a perfect paradise, or were I to gloss over what seems to me to be their defects.

This comes of taking too seriously the journalistic tradition that we of to-day are in the same tender condition as we were at the time of Dickens's first visit. Newspapers are some seventy years behind the times in this matter, and reviewers quite generally assume even now that we read each new traveler's note-book merely to find out whether he approves of us. Love me, love me not, we are supposed to be saying as we turn the leaves, like girls pulling petals from a daisy. I have never met a man who read the notes of a transatlantic impressionistic observer from any other motive than curiosity. I have seldom read a review that did not assume that we read these things solely for the fortification of our patriotism and the corroboration of our self-esteem. "Wu Ting-Fang Thinks Well of America" will probably be the head-line of many a newspaper notice of this book. Journalists are the antiquarians of patriotism.

As a matter of fact, when our former Ambassador writes flatteringly about us he is not only perfunctory and indifferent, but sometimes flatly incredible.

> One of the things which arouses my admiration is the due observance by the people of the existing laws. . . . Every one obeys them, from the President to the peddler, without any exception.

When politeness is carried so far as that, it makes one very uncomfortable.

Concerning an educational fad for self-government in the public schools of Philadelphia, he says:

> I was assured by the school authorities that this system of self-government worked admirably; it not only relieved the teachers of the burden of constantly looking after the several hundred pupils, but each of them felt a moral responsibility to behave well, for the sake of preserving the peace and good name of the school. Thus early imbued with the idea of self-government and intrusted with the responsibilities of its administrations, these children when grown up take a deep interest in Federal and municipal affairs, and, when elected for office, invariably perform their duties efficiently and with credit to themselves.

And in the following passage one might think him bitterly ironical:

> Any one with ordinary intelligence and with open eyes, who should visit any city, town, or village in America, could not but be impressed with the orderly and unostentatious way in which it is governed by the local authorities.

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But neither his heart nor his head is in these observations. They are the mere exaggerations of ambassadorial civility, meaning little or nothing.

His own point of view appears in the discussion of such matters as the Western notions of "getting on in the world," expansion, and the duty of the "superior race." The fundamental difference between the Orient and the Occident, he says, is that the Western State forces its citizens to fight, whether or not they believe in the justice of the cause.

> Chinese rebellions are said to "live on loot," *i.e.*, on the forcible confiscation of private property, but is that worse than winning battles on the forcible deprivation of personal liberty? This is nationalism gone mad! . . . With us government is based on the consent of the governed in a way that the Westerner can hardly understand, for his passion to expand is chronic.

In China the principles on which the social system rests are "brotherhood and the dignity of labor."

> What, I ask, is the advantage of adding to national territory? Let us examine the question calmly. If a town or a province is seized, the conqueror has to keep a large army to maintain peace and order, and unless the people are well disposed to the new authority there will be constant trouble and friction. All this, I may say in passing, is opposed to our Confucian code which bases everything on reason and abhors violence. We would rather argue with a mob and find out, if possible, its point of view than fire on it. We have yet to be convinced that good results flow from the use of the sword and cannon. Western nations know no other compulsion.

Territories acquired for the extension of trade are, he declares, an illusive gain. Great Britain has made of Hong-Kong, for example, a prosperous and self-supporting colony, but out of its half-million inhabitants only a few thousand are British; nearly all are Chinese; and the British enjoy no benefits that do not belong to every one else. For years the island has been a drain on the British revenues, and financially the British people have profited nothing. There is, of course, "prestige"—"an empty, bumptious boast dearly paid for by the British taxpayer." Trade may be had without seizing territory. Nor is there any force in the surplus-population argument, for there is no bar to the immigration of white people at least. And as to the necessity of naval bases, that presupposes war and invites the danger that it pretends to guard against.

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He is greatly puzzled by the Westerner's belief in the superiority of his civilization. Civilization, he says, includes humane conduct, fair dealing, and just treatment, and is first of all a "moral thing." The Chinese ideals of the civilized man are expressed in such sayings as, "He guards his body as if holding jade"; "he does not gratify his appetite, nor in his dwelling-place does he seek ease"; "without weapons he will not attack a tiger, nor will he dare to cross a river without a boat"; he will "send charcoal in a snowstorm, but he will not add flowers to embroidery." They inculcate reasonableness, self-control, moderation, and kindness. For thousands of years China has maintained society without the class hatred and class wars that have marked European history. Religion, which has little influence on Western civilization, is the corner-stone of Chinese society, and morality holds the place which is assigned by the more practical West to economic propositions. In the West they measure life by accumulation; the Chinese measure it by morality. Family ties are stronger in the East; hence the social sense is keener and individual suffering is avoided. People in China have not enslaved themselves to wealth.

> We think as we contemplate the West that white people do not understand comfort, because they have no leisure to enjoy contentment. . . . We like luxury, but we like other things better. We love life more than chasing imitations of life.

Why this assumption that Americans are superior to the Chinese in intellect, taste, education, and habits? "Sir," said Lao-Tsze, "strive to keep the world in its simplicity—why so much fuss? The wind blows as it listeth, so let virtue establish itself. The swan is white without a daily bath, and the raven is black without dyeing itself." Progress does not necessarily affect the essentials of civilization, and material progress may involve the loss of spiritual insight. For all their wealth, and their discoveries, inventions, modern improvements, industrial energy, the people of the United States are not so happy as the Chinese. Their poverty is by contrast harsher. There are more friendless and forlorn folk among them. In China nō man is without friends save by his own fault. Wu Ting-Fang's own belief is that civilization will follow the spiral movement, which is the law of nature, and since it proceeded

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from the East to the West, will return to the East, its original source. He also believes in reincarnation, and is under the impression that in a former existence he was born and brought up in the United States. He solemnly warns those white nations who advocate the policy of exclusion that in their next life they may be born in Asia, and will then themselves suffer the injury they are now inflicting on the yellow races.

In short, the United States is a wonderful country where millionaires abound, and young men without a penny may become railway directors, and young women may practise law, and seventeen and a half million pupils are enrolled in the public schools, and rich men endow libraries and marry their daughters to dukes, and women wear hats three feet in diameter, and you cannot look out of the window without seeing an advertisement, and there is the richest possible variety of truly Christian religions, and the people are so honest that they pay their fare in omnibuses with no conductor to collect it (a fact which he has noticed nowhere but in America), and they are so eager to get on in the world that they do not stop to masticate their food, and when they retire from business they soon die. So he runs on, bewildered and trying to applaud. There is much in America to admire, he will say—after some mad assemblage of discordant phenomena—luxuries and lynchings, peace movements and divorce. But he cannot disguise his suspicion that we have not, as he has seen us, attained a very reasonable balance in our lives. At the back of his unconverted Oriental intelligence there lurks the conviction that we have missed the main points of existence.

He is in reality imperturbable and remote. To him our Western civilization is a rather dubious agitation on the surface of things. He has little sympathy with the strenuosities of reform. In China, he says, people do not expend the same energy as in Europe and America in trying to make other people good. They try merely to be good themselves, believing that their example, "like a pure fragrance, will influence others to be likewise."

We think practice is as good as precept, and if I may say so without being supposed to be critical of a race different from my own, the thought has sometimes suggested itself to me that Americans are so intent on doing good to others and on making others good, that they accomplish less than they would if their actions and intentions were less direct and obvious.

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I cannot here explain all I mean, but if my readers will study what Li-Yu and Chuang-Tsz have to say about "Spontaneity" and "Not Interfering," I think they will understand my thought.

From what he says about the Western stage, it would seem that Wu Ting-Fang in his pre-existent state as a native of this country must have been a "tired business man, and will have to undergo two or three more reincarnations before he can judge a Western play." The object of the theater is, he says, merely to provide amusement and moral instruction, and so strictly does he construe this that he condemns any serious play that ends tragically. Cock-fights and bull-fights are, he thinks, less brutalizing than the portrayal of mental sufferings. Nobody benefits from watching a tragedy, and indeed a boy once killed his father with a knife after having seen a tragedy on the stage. Apparently there is no room in his philosophy for any "unpleasant" play, from Æschylus to Ibsen. Every right-minded person, requires, he says, that the villain be punished and virtue be rewarded, and he exclaims sorrowfully at the very small percentage of Western dramas from which moral lessons can be drawn. As to the profession of acting, he believes it corrupts the mind and leads to deceitful conduct in private life.

No one to whom sincerity is as the gums are to the teeth would wish to acquire the art of acting as though he were some one else.

For this reason actors have been looked down upon in China from ancient times; and "no respectable Chinese family would think of allowing their son to go on the stage."

There are lively comments on public dinners, business methods, dress, American brusqueness of manners and slowness of speech, wit, oratory, women, bad ventilation, overeating, and many other matters already very copiously "observed" in the literature of international impressionism, and he also says many things that we like to believe. But I have sought rather the points of departure. We no longer consult this branch of light literature for the reinforcement of our cherished convictions. We have long since abandoned the foolish demand that a visitor shall tell the truth about us. We merely desire to learn the truth about the visitor. For it is now pretty generally understood that our literary travelers are not describing an actual country, but a land that is peopled mainly by their own personal equations.

F. M. Colby.

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NEW BOOKS REVIEWED

DEMOCRACY IN NEW ZEALAND. By ANDRÉ SIEGFRIED. Translated from the French by E. V. BURNS. London: G. Bell & Sons, Limited, 1914.

As a study in politics, M. Siegfried's book, now for the first time translated into English, is of general interest; for New Zealand not only occupies a peculiar position in the British Empire, but it has been the scene of extraordinary legislative experiments. The eyes of the whole world have been directed toward this isolated colony—a fact of which the natives have been duly conscious, and which has played its part in shaping their course. Those desirous of examining the actual workings of novel laws and institutions, from old-age pensions to women's suffrage, naturally turn to New Zealand. It is made clear, however, throughout M. Siegfried's luminous discussion, that the superficial observer is extremely liable to be misled both as to the spirit of New Zealand legislation and as to the conclusions to be drawn from its results. New-Zealanders, it is repeatedly pointed out, are in no sense theoretical socialists: they are opportunists, with a positive aversion to policies based on general principles or looking to the remote future. Moreover, special conditions—among which may be reckoned exceptional prosperity, a favored position in the empire, and an unusual gift on the part of the people themselves for moderation and for compromise, often of an inconsistent sort—have rendered feasible in New Zealand a policy which could hardly be made to work as a whole anywhere else on the globe. The word "democracy" in M. Siegfried's title is therefore chosen advisedly: socialism as such has very little to do with the case.

It is characteristic of the colony, however, that the ends of radical democracy have been achieved without changing a form of government which is not in itself especially democratic. The governor, who is a representative of the Crown, exercises little influence on local affairs, serving rather as a link between the colony and the mother-country than as an active executive. But the former function he does satisfactorily fulfil. The people, indeed, attach much importance to the office and are sufficiently imbued with a snobbish spirit to be dissatisfied if other than a "highly decorative nobleman" is sent to them. The upper legislative chamber, we are told, not being elective, has fallen into a state of desuetude. In a country without an aristocracy, respect for the old forms is still oddly manifested, but the government in effect is a government of one chamber.

The period with which M. Siegfried chiefly deals is that of the supremacy of the Liberal-Labor party under the leadership of R. J. Seddon. After the failure of the great strike in 1890, the laboring-men sought to gain

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their ends through the ballot, and in this they were aided by the small landholders, whose interests were to a certain extent identical with theirs. There was little to check the operations of the Liberal-Labor party which grew out of this coalition. In New Zealand, in fact, the so-called Conservative party hardly deserved the name, being scarcely more averse to State intervention than the Radicals themselves. What is the fundamental explanation of this almost universal state of mind? M. Siegfried replies that, in the first place, "the structure of society is simple, and there is no place for the inextricable tangle of interests, traditions, and prejudices which so complicates the solution of European political problems. The colonials, moreover, are generally men of mingled strength and simplicity. Their strength makes them unconscious of obstacles, and they attack the most delicate questions much as one opens a path through a virgin forest with an ax." Full play is allowed to these forthright tendencies by the comparative freedom of the colonists from outside complications. "The Australasians are like spoiled children. England has solved for them all the most difficult questions of foreign, military, and financial policy. They still have only to concern themselves with their internal affairs, unless they choose to do otherwise, and before anything fatal can happen to them, there are still many mistakes which they can safely make."

The legislation indulged in by the Seddon Government during its long period of power makes an interesting exhibit. It includes a great variety of special laws for the protection of employees, a law providing for the compulsory conciliation and arbitration of disputes between labor and capital, old-age pensions, land legislation intended to bring about the division of large estates, an act authorizing the State to advance money directly to settlers, restriction of immigration, and the granting of the suffrage to women. When we inquire how all these measures have worked, we receive the reply that under the circumstances prevailing in New Zealand they have worked pretty well. We are not permitted, however, to forget that the circumstances are peculiar. Repeatedly, emphasis is laid upon the political and financial support which New Zealand receives from England. Further, it is pointed out that social legislation is an expensive luxury, entailing a protective tariff which bears somewhat heavily upon the consumer, while the protected manufacturer has to pay high for labor. Were the tariff barrier to be removed, "the Draconian laws of international competition would but too soon remind manufacturers and politicians that at whatever sacrifice goods must be produced cheaply." Meanwhile, New-Zealanders hold that a "high tariff is not too high a price for a nation to pay to insure the comfort and prosperity of its workers." Lastly, we are made to see that in New Zealand—a country in which "even the revolutionary spirit is permeated with compromise"—radical tendencies such as elsewhere would give good ground for alarm are kept surprisingly within bounds. A serious doubt, however, is suggested. It is not in the nature of things political that steps taken in a radical direction should be easily retraced, yet under certain conditions the repeal of some of the legislation now in force in New Zealand might become an economic necessity. Already in the ten years since *Democracy in New Zealand* was written, a certain reaction has been felt, though bad times have not arrived.

Seldom in the treatment of any subject are scientific accuracy and logic so nicely blended with literary skill as in this book of M. Siegfried's. The

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author touches with appreciation upon nearly every phase of New Zealand life, expressing himself in clear and lively phrases not too carefully stripped of the harmless exaggeration of ordinary speech, and in arriving at conclusions regarding important matters he displays a statesman-like caution. His book is neither a collection of irresponsible impressions nor a dry summary of statistics, but a true interpretation.

POLITICAL AND LITERARY ESSAYS. By THE EARL OF CROMER. Macmillan & Company, Limited. London: 1913.

The brief periodical essays collected in this volume afford little scope for that full and detailed exposition of political doctrine or administrative method for which we commonly read the writings of a statesman, and in dealing with literary matters the Earl of Cromer seems to shun rather than to seek a reputation for marked originality. But his succinct pronouncements upon political topics have weight as the concentrated results of much thought and experience, and however humbly he may describe himself as dabbling in literature at the close of an active political career, the qualities of mellow appreciation and sound judgment which pervade his literary comments are better than the more showy kinds of excellence. It is in those passages of his book which deal with the government of subject races that most philosophy is to be found. Here a thought often emphasized is the essential difference of mentality and the corresponding differences of interest that obtain between the Oriental and his Occidental brother. The Englishman, despite his "commendable asymmetry of mind" as compared with the Continental races, is liable to make serious mistakes in dealing with the native of Asia, who simply isn't logical, in the European sense, at all. Great caution, therefore, is evidently advisable in the introduction of English political institutions among Asiatics. "A freely elected Egyptian Parliament, supposing such a thing to be possible, would not improbably legislate for the protection of the slave-owner, if not the slave-dealer, and no assurance can be felt that the electors of Rajputana, if they had their own way, would not re-establish suttee." Loyalty based upon a similarity of ideals is, accordingly, not to be looked for, but a sort of makeshift loyalty springing from a recognition of the blessings conferred by peace and prosperity is always attainable. That reforms should be instituted slowly while the egotism of commerce is at the same time kept within due bounds seems obviously the right policy. Such, at least, is the view of a convinced but moderate imperialist, such as the Earl of Cromer professes himself to be. Written for the most part for the purpose of guiding public opinion with respect to English political questions, many of these essays have in them rather little that is of direct concern to Americans, though the author's views of subject races may be thought to have some bearing on our policy toward the Philippines, and the fact that he is inclined to distrust the reality of republicanism in China is not without its significance for us. His literary essays are altogether enjoyable. In the one, entitled "Translation and Paraphrase," he gives a collection of citations, illustrating both methods, such as will delight the connoisseur in these matters. He speaks soundly and reassuringly of the future of the classics, and his discussion of popular, naval, and military songs is full of literary and human interest.

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REMINISCENCES OF A SOLDIER'S WIFE. By MRS. JOHN A. LOGAN. New York: Charles Scribner's Sons, 1913.

Mrs. Logan's spirited narrative, with its pleasant and justifiable exaltation of times past, is remarkable in that it not only tells of heroic service at the front, but in greater degree than most military memoirs fills in the social and political background. Nothing could be more appealing than the description, contained in the opening chapters, of ante-bellum life in southern Illinois. The features of the time are familiar to us in a general way; but the picture has its characteristic touches, and it is drawn with a vividness of detail and an aliveness of feeling that are rare. Mrs. Logan has relived both this part of her life and her Civil War experiences with singular actuality. Here is none of that flatness of perspective so common in memories of the distant past, nor do we experience any effect of the otiose pleasure reminiscence often takes in fingering over old facts from which the keen edge of feeling has worn away. The events of the story have remained of passionate interest to the narrator, who seems prepared to do again what she has done in the past. A woman of the old school, unpretentiously telling her story, speaks to us of to-day in stronger, more thrilling tones than are often heard.

In an unusual degree Mrs. Logan shared in the plans and thoughts of her husband throughout his active and stressful career—searching out legal precedents for him when he was prosecuting attorney, keeping in touch with politics and the sentiments of the people, playing the onerous part of wife to a man of influence in a small pioneer community, and later assuming the more complicated duties of a Representative's wife in Washington, all with unfailing zest and American adaptability. Southern Illinois was a place of dramatic interest in the days immediately preceding the outbreak of hostilities, for nowhere was the popular temper more doubtful than here on the borderland of the Confederacy. Mrs. Logan's eldest brother, yielding to an impulse to follow the fate of his college chums who lived South, joined the Confederate army. General Logan himself was a friend and follower of Douglas, and thus Mrs. Logan first saw Lincoln through the eyes of an opponent—a fact which intensifies the interest of her first impressions of him. "His awkwardness," she writes, "has not been exaggerated, but it gave no effect of self-consciousness. There was something about his ungainliness and about his homely face, even in a State of tall and ungainly men, which would have made any one who simply passed him in the street, or saw him sitting on a platform, remember him. 'There ain't no one else, and there never was any one jest like Abe Lincoln,' as an old farmer said. . . . Douglas won your personal support by the magnetism of his personality. Lincoln did not seem to have any magnetism, though of course he had the rarest and most precious kind. He seemed able to brush away all irrelevant matters of discussion and to be earnestly and simply logical. In fact, he had the faculty of carrying conviction. At a time when the practice of oratory as an art was the rule he was without affectation. The ungainly form, the bony face, the strong, sensitive mouth, the quiet, sad, and kindly eyes, were taking you out of yourself into unselfish counsel." Lincoln's logic weakened General Logan's faith in the doctrines of the Democratic party, he began to doubt the force of Douglas's arguments, and the firing on Fort Sumter made him realize that thenceforth a man must be for his country or

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against it. Resigning his seat in Congress, he returned to Illinois to exert his influence for the Union. How the people waited for him, how he came and addressed them, how he carried them with him and raised the first company of the famous Thirty-first on the spot—all this makes a thrilling story. A day had been fixed on which General Logan was to speak at Marion; but failure to make a railroad connection delayed him. Mrs. Logan, who drove to Marion from Carbondale to explain her husband's non-arrival, was stopped before she reached the center of the square by men who gathered round the buggy and eagerly cried out: "Where is Logan?" "What is the matter?" "What does this mean?" "We have got to know all about this business." The tone was in some cases threatening; mob violence was feared; but when Logan faced the people he swayed them as a born leader.

From the beginning of the war, Cairo, Illinois, became, of course, a point of strategic importance. Mrs. Logan was thus in the rear of and closely in touch with one of the greatest campaigns. She knew the common soldiers, saw the wounded brought home, went to nurse her wounded husband at the front, sheltered an escaped slave, experienced the hostility of Southern sympathizers, felt and did and knew nearly all that was possible for a woman in those times. Belmont, Fort Henry, Fort Donelson, Vicksburg, Resaca and Dallas, Kenesaw Mountain, and Atlanta, where General Logan, after McPherson's death, won the day against heavy odds —these are some of the battles that were poignant events in her life. The appointment of General O. O. Howard instead of General Logan to command the Army of Tennessee is discussed with restraint. Testimony is adduced to show that General Sherman was strongly influenced in this matter by General Thomas, who professed himself unable to get on with Logan, while in contrast is told the story of how Logan, ordered by Grant to supersede Thomas, sent a staff officer to induce Thomas to make the attack which resulted in the rout of Hood's army. No unfriendly feeling remained between Sherman and Logan, but the impression is left that this was due quite as much to Logan's magnanimity as to Sherman's fairness.

The latter half of the *Reminiscences,* is more journal-like in form than the first, and the grip on affairs seems less strong. There is, however, much good anecdote, discussion of notables, and picturing of social life. Because of their historic and personal interest and the strong note of character in them these memoirs deserve to be read by many.

READINGS IN AMERICAN HISTORY. EDITED BY JAMES ALTON JAMES. New York: Charles Scribner's Sons, 1914.

The value of collateral reading in the teaching of many different subjects, and especially in livening and broadening the bare narratives of school histories, is generally recognized, but will bear emphasis. It is not only by adding color to facts or by breaking up the habit of mere memorizing that readings in the original sources of history do good. Such readings give actuality both to the historic narrative and to the subject itself. They give the pupil a proper conception of the materials of which history is made and lead him instinctively to try to form his own conclusions. For interest in such a subject, moreover, it is almost essential that the student should have a store of subconscious ideas, not memorized

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and not necessarily always at command, but supporting and surrounding the consciously known facts, which thus attain a firmer reality and a richer significance.

The selections in the volume under notice cover a period of time extending from the voyages of the Norsemen to the inauguration of President Wilson. It goes without saying that these excerpts have no small informational value. What is best worth observing, perhaps, is that their human interest has been fully conserved. The editor has kept in mind that pupils of the high-school age, for whom the book is primarily intended, are but little interested in constitutional documents. He has drawn his extracts largely from the journals or letters of persons contemporary with the events described and from books of travel. In the instructive treatment of all manner of topics—political, industrial, social, educational, religious—there is room for much that is picturesque and amusing. What could be more diverting than this account, from Hakluyt, of an Englishman's first encounter with the mosquitoes of Vera Cruz? "This town is inclined to many kinds of diseases, by reason of the great heat, and a certain gnat or fly which they call a mosquito, which biteth both men and women in their sleep; and as soon as they are bitten, incontinently the flesh swelleth, as though they had been bitten by a venomous worm." Humor that arises naturally out of a serious matter does not come amiss. Amid much discussion of questions pertaining to the First Continental Congress, we find in a letter of John Adams's this caustic comment: "I believe if it was moved and seconded that we should come to a resolution that three and two make five, we should be entertained with logic and rhetoric, law, history, politics, and mathematics, and then—we should pass the resolution unanimously in the affirmative." Whoever has read this letter is in the less danger of supposing that the great acts of history were performed, as Colonel Higginson says, by mere "dignified machines." One is glad also that among the selections is included the letter home of that ingenuous Princeton Freshman, P. Fithian (1700), who told how "every student must rise in the morning at farthest by half an hour after five," to study an hour before breakfast by candle-light, and concluded with the words: "I am, through divine goodness, very well, and more reconciled to rising in the Morning so early than at first." On the whole, Professor James's volume succeeds in being adequately instructive and interesting.

THE WINE PRESS. By ALFRED NOYES. New York: Frederick A. Stokes Company, 1914.

The immediate effect of reading *The Wine Press* is overwhelming. No one could doubt that a poet gifted with Mr. Noyes's vigor of imagination and originality of speech, once inspired with a fervent hatred of war and all that war means, would be able to startle and horrify us as successfully as he has charmed us in the past. But the rushing energy of this poem, its absorbing intensity, are surprising—far greater than one would have anticipated. In his whole-souled and fiery attack, the poet makes all the resources of his varied art subserve his one purpose. Poetic realizations of beauty, tenderness, and high ideals are used to deepen the ultimate horror of the thing. Mr. Noyes even drives his point in with a kind of satirical doggerel, such as Kipling used in "The Vampire"—

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Around a shining table sat
  Five men in black tail-coats;
And, what their sin was, none could say;
For each was honest after his way
(Tho' there are sheep, and armament firms,
  With all that this "connotes").

In the same poem are bits of lyric tenderness, such as the peasant woman's lullaby:

Sleep, little blue pigeon,
  Sleep on my breast,
Sleep while the stars shine
Sleep, while the big pine
Rocks with the white moon
  Over your nest.

Human feeling and the beauty of nature are warmly interfused in the description of nightfall as seen by the young Balkan peasant on the eve of his departure for the war:

Then, like a cottage casement, far away,
  A star thrilled in a pale green space of sky;
And then, like stars, with tiny ray on ray,

He saw the homely village lights reply:
  And earth and sky were mingled in one night,
And all that vast dissolving pageantry

Drew to those quintessential points of light,
  Still as the windless candles in a shrine,
Significant in the depth as in the height.

By way of contrast, the sheer ghastliness, the awful materialism of war, which reminds us that no law of nature protects our bodies from the vilest outrages, finds expression in lines like these:

Slaughter! Slaughter! Slaughter!
  The cold machines whirred on.
And strange things crawled among the wheat
With entrails dragging round their feet,
And over the foul red shambles
  A fearful sunlight shone.

It is surprising that all this should flow from one pen. Mr. Noyes has forged out of his art a weapon to serve his cause. His poem does what no prose could do so well: it breaks up that persistent illusion of the commonplace which has almost transformed the thought of war into a familiar household thing.

One would not wish to apply as a test of the poem's worth the canon of that good taste which "censors our news." Mr. Noyes's fervor is not too great for his theme; his images are doubtless justified by facts; and surely literature should carry a living message. That *The Wine Press* is a passionate plea for peace in no way debars it from being great literature; rather, the contrary is the case. But what is permissible and effective in a passionate plea may not partake of the quality of great literature. In

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such a tragedy as this we feel that the sacred things of love and home must be made supremely beautiful, their utter and vile desecration supremely terrible, and that if supreme beauty or supreme terror be lacking, these themes had better be left alone. To some readers, perhaps, *The Wine Press* will seem effective, but not great—to fall short of greatness because in its effectiveness it comes so near to being intolerable. But no criticism could be right which doomed this striking poem to insignificance. Work of genius or not, the thing is big and thought-compelling.

ENGLISH TRAVELERS OF THE RENAISSANCE. By CLARE HOWARD. New York: John Lane Company, 1914.

Miss Howard has made good use of her rather diffuse and scattering sources, and has produced a book of deftly woven quaintness, which is also not a little informing as to the manners and spirit of the age with which it deals. Certainly the books written for the guidance and instruction of travelers during the sixteenth and seventeenth centuries make better reading than do their modern representatives the guide-books. Their authors seem to have taken into consideration everything from the salvation of a man's soul to the most approved method of wrangling with innkeepers. The earliest of the motives that gave to travel the dignity of a noble undertaking was religious. One of the first books printed in England, we are told, was *Informacon for Pylgrymes unto the Holy Lande*, by Wynkin de Worde. In this interesting treatise the pilgrim is advised to take with him two barrels of wine; "for yf ye wolde geve xx dukates for a barrel ye shall none have after that ye passe moche Venyse." A further list of necessary baggage, including a half-dozen live chickens and a bushel of "myle sede" with which to feed them, shows that not all pilgrims were by any means indifferent to good living, while it makes us feel that by comparison arctic explorers travel light. Later the religious motive was superseded by the desire for learning and converse with learned men, and this in turn gave way to that desire for foreign culture, as productive of worldly wisdom and personal force, which prevailed exceedingly in the time of Elizabeth. The Elizabethan traveler was of heroic temper, not to be despised in his determination to become a "complete person" and to serve the state; but times changed and standards were lowered. By 1616 it was said of France that "unto no other countrie, so much as unto this, doth swarme and flow yearly from all Christian nations, such a multitude, and concourse of young Gentlemen, Merchants, and other sorts of men." They came no longer for mental improvement, but rather to attend the "academies," where one learned to fence, to dance, and to "ride the great horse." Perhaps there is a lesson for the times in the melancholy case of Sir Henry Bowyer, who in his anxiety to keep up with the latest fashions practised dancing so violently that he died of the exertion. The Restoration naturally gave new vogue to the notion of polishing oneself by foreign travel. Sir Thomas Browne's constant advice to his son, "Shun *pudor rusticus*," gives the note of the time. But, Italy and Germany being now thrown open to travelers, the Grand Tour became possible, and travel took the form of modern sight-seeing rather than that of residence abroad for the sake of practice in foreign languages and arts. Travelers began to "do" the "principal points of interests," we gather. Let us not laud too

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highly the diligence of the modern tourist; his prototype of the early eighteenth century excelled him. "According to Misson, a voyager ought to carry with him a cane divided into several measures, or a piece of packthread well twined and waxed, fifty fathom long and divided into feet by knots, so as to be able to measure the height of towers and the bigness of pillars and the dimensions of everything so far as he is able." Count Leopold Berchtold sadly encouraged the seeker after information for information's sake by advising him to ask, among others, the following questions:

"Which are the favorite herbs of the sheep of this country?"

"Are there many instances of people having been bit by mad animals?"

"Is the state of a bachelor aggravated and rendered less desirable? By what means?"

"What is the value of whales of different sizes?"

English Travelers of the Renaissance has nothing in common with attempts to make a little romantic or humorous capital out of a slender historic theme. It is breezy, accurate, not pedantic, but adequately respectful in tone toward the more serious aspects of the subjects of which it treats.

THE UNCONSCIOUS. By MORTON PRINCE, M.D., LL.D. New York: The Macmillan Company, 1914.

Modern psychologists seem almost painfully anxious to put their science upon the same basis as other sciences, first by making it experimental, and secondly by showing its practical applicability to the varied problems of life. Sometimes the lay reader cannot help feeling that the results obtained by experimental methods are neither so accurate nor so important as they are assumed to be; and although interesting principles have been deduced which bear upon the art of teaching, the choice of a vocation, and like affairs of practical concern, psychology in these matters has not yet succeeded in taking the commanding position which its professors claim for it. In the department of mental therapy, however, results of unquestionable value have been obtained, and it is, incidentally, to work done in this department that most of the new knowledge regarding the human mind and personality has been acquired. In *The Unconscious* Dr. Prince has aimed to reach conclusions such as are, or may prove to be, useful in medicine; but, in this volume, he stops just short of the discussion of mental diseases as such. The result of this definiteness of aim and of this restriction of scope is that his book furnishes probably the best introduction which has been written to the study of the most vital part of the newer psychology. For the subconscious, it has been said, is not merely a psychological problem; it is *the* problem of psychology. In the study of this subject, most of the significant facts, it is true, are drawn from the observation of abnormal patients, and hypnotism—a sort of painless and harmless mental vivisection—is the principal instrument of inquiry. But the author uses pathological data with discretion, avoiding whatever is speculative, sensational, or merely technical, and confines himself to those facts which best serve to illuminate the general subject.

Dr. Prince keeps clear of metaphysical complications, and maintains the doctrine of "psychophysical parallelism" with far less labor and confusion of thought than do most psychological writers. The unsolved—

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perhaps unsolvable—question as to whether "brain events" determine thoughts, or whether thoughts cause modification of the brain substance, is excluded from consideration, and its unlaid ghost does not haunt the reader in the form either of ambiguous statements or of too frequent disclaimers. In harmony with this unmetaphysical point of view, the author rejects Myers's doctrine of the "subliminal" as a thing of unproved reality and as an unnecessary assumption. We can get along just as well, he shows, without postulating a vast sea of subconscious ideas, existing nowhere in particular, of which consciousness is alleged to form but a small part.

The primary task, then, to which Dr. Prince applies himself is the definition of the subconscious in terms of proved reality. He begins his investigation by an analysis of "memory," which he shows to be a process consisting of three stages—namely, registration, conservation, and reproduction. When we have taken in the fact that conscious reproduction, or "recollection," is but *one* part of the memory process, we are prepared to understand that there may be almost unlimited conservation of impressions of which a large proportion are never recalled. The inference is that all, or nearly all, of the experiences of life leave their traces upon the brain (or upon the mind), and these residua of experience, which are proved by a multitude of experiments to exist, *even when they are normally beyond recall,* form the materials of the subconscious. The difference between this view and that of Myers may seem, at first sight, not worth talking about; but Dr. Prince very rightly insists upon the ultimate importance of dealing with definable realities. The mental residua, he points out, are real in exactly the same sense as the molecules, atoms, and ions of physics.

Normally the subconscious plays, of course, a large part in ordinary thought, supplying as it does the substance of memory. But its function is not confined to this familiar process. On the contrary, it may be shown that the meaning, or connotation, of an idea, is largely contained in its subconscious setting, or in the "fringe" of consciousness. Nothing, indeed, in Dr. Prince's book is more striking than his experimental analysis of this fringe or penumbra of thought. By ordinary introspection the fringe cannot be successfully studied, because of the rapidity of its changes, but through hypnotism it has been possible in several cases to obtain an account of the ideas present in the patients' mental penumbra at a given time. In all these cases the ideas hidden in the fringe were found to have explained the color and "meaning" of the conscious thought. On the whole, it is made very clear that "it is the unconscious, rather than the conscious, which is the important factor in personality and intelligence. The unconscious furnishes the formative material out of which our judgments, our beliefs, our ideals, and our characters are shaped."

But the subconscious is not a mere static storehouse; it is capable of active and more or less independent functions. Dr. Prince divides the subconscious into two parts which he calls, respectively, the *unconscious* and the *coconscious*. The unconscious consists both of conserved dormant "neurograms," or neural dispositions, and of unconscious *processes*—the latter illustrated by the more or less familiar case of problems solved during sleep. The coconscious consists of the phenomena of split-off consciousness; it includes those thoughts which display consciousness when tapped"

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by means of hypnosis, but which go on outside the awareness of the personal consciousness. Between these two divisions of the subconscious there is no sharp line of demarcation, but it is evident that the coconscious phenomena afford a powerful method of studying the unconscious: they are, so to speak, the unconscious become vocal.

In the course of such a study one of the significant truths brought out is the fact that a given complex of thought may be conscious or unconscious in almost any degree. Sometimes, when there exists in the subconsciousness a painful association of ideas, the patient is aware only of the physical symptoms. In other cases the object of his dread or dislike also emerges into awareness, but without the meaning. In still other cases there is present in the sufferer's consciousness the meaning as well as the object of his emotion and its physical symptoms, but the ideas which originally gave the meaning to this object are concealed from him. Of course, where such a complex is organized some impulse is necessary to give it active efficiency, and this impulse is supplied by the emotion "synthesized" with the subconscious group of ideas. It is gratifying to note, however, that the author refuses to be bound by the narrow rule of the Freudian school, which insists that the impelling emotion always arises from an unfulfilled wish, most usually of a sexual nature. Dr. Prince maintains that various sorts of emotions are equally effective in this respect—a view which the common sense of most readers will welcome.

The total effect of reading *The Unconscious* is to bring the facts of abnormal psychology measurably within the circle of ordinary understood phenomena, while in turn the processes of normal mental life are illuminated. We are made to realize, so to speak, the normality of the abnormal. The formation of pathological complexes in the subconsciousness is a process much like the formation in healthy minds of those sentiments without which our lives would be reduced to chaos. The dissociation of a personality is not essentially different from that of less violent alternation of moods from which few are wholly free. Again, while the author does not in this book develop his doctrine of panpsychism, he shows that intelligence (in a purely pragmatic sense) is found everywhere in life, showing itself at one end of the scale in the behavior of insects, and at the other in the conscious thoughts of man. The manifestations of the unconscious and the conscious (which are often highly intelligent) seem almost to bridge the gap between human consciousness and the supposedly automatic phenomena of nature. Apart from these wider implications, Dr. Prince's book supplies a sort of physiology of the mind, as comprehensible as the physiology of the body, and much more fascinating.

THE FOOTHILLS OF PARNASSUS. By JOHN KENDRICK BANGS. New York: The Macmillan Company, 1913.

There have been writers of humorous verse more adroitly witty and more phrasically incisive than Mr. Bangs, but there have been few who have managed to express nearly so much of that cheerful human spirit which smooths the path of every-day life. Mr. Bangs not only makes us smile, but, what is more important, he makes us want to smile. Even an indifferent joke in his verses takes on an air of pleasant grotesquerie that is most winning, and his jokes for the most part are not indifferent. His

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book of light and unpretentious stanzas is like a friend who not too fastidiously makes the best of the merry things of life without having in the least the air of pessimistically seeking to look on the sunny side because the dark side is so obtrusive.

In his more serious poems the same spirit is manifest. "Let those who will," he writes—

> Let those who will sound notes of dull despair
> And fill with lamentation all the air—
> For me, let it be mine alway to send
> The cheery note of Love, unto this end:
> That they who on some path of darkness grope
> May find their way to Light through gleams of Hope.

In such verses, the underlying sincerity, the homely phrase, the plucky spirit, strike a sure response, and it is much to say that so simple an appeal to optimism does not in any way offend us. On the contrary we are always glad to see one of Mr. Bangs's lyrics or versified witticisms smiling up from the page. We may feel that they are not profound nor always of dazzling brilliancy, but they accomplish their mission of amusement or good cheer or zestfully genuine appreciation of nature, human or material, as simply and surely as the greater works of literature make their inspirations felt.

NATIONAL SUPREMACY: TREATY POWER *vs.* STATE POWER. By EDWARD S. CORWIN. New York: Henry Holt & Company, 1913.

Logically the question discussed in this book turns, of course, upon a point of verbal interpretation. Are the powers reserved to the States by the Tenth Amendment reserved to them solely, or may the United States, in accordance with Article VI., Paragraph 2 of the Constitution, exercise concurrent and overruling power? Professor Corwin contends that obviously the powers reserved to the States are reserved always conditionally upon their not having been delegated to the United States. If, then, the States in their exercise of the "police power" come in conflict with laws made in pursuance of the Constitution or treaties made under the authority of the United States, the former must give way. The book, however, is predominantly historical and not merely logical or philosophical in its method: it is one of those painstaking and impartial surveys which the modern school of history and politics produces. In such a survey, without the appearance of contending for a thesis, cautious conclusions are slowly constructed out of the facts themselves. The conclusion at which Professor Corwin ultimately arrives is that the logical interpretation to which he gives his adhesion is, on the whole, that which has prevailed throughout the history of the United States, and that, unless a radical change is to be made in our system of government, that interpretation had better be left alone. Constitutional questions are always debated from a conservative rather than a radical point of view: in respect to them, a break with the past is justly felt to be particularly undesirable. Here, then, set forth in clear detail, is the conservative view of what conservatism with respect to the Constitution means.

Among the phases of the subject taken into consideration are the interpretation of the treaty power under the Articles of Confederation, the

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view of this power taken in the Convention of 1787 and in the State Ratifying Conventions, the decisions of the Supreme Court while still dominated by the point of view of the Framers of the Constitution, and, most important of all, the record of later judicial decisions. In discussing the latter, the author strongly maintains that the early precedents have never been overruled. Judicial utterances asserting the doctrine that the reserved rights of the States set a constitutional bar to the treaty power of the United States are confined, with the exception of one or two circuit court decisions interpreting Indian treaties, to *obiter dicta*, ordinarily of a very gratuitous sort. In this connection, it is interesting to note that in Judge Story's much-quoted declaration to the effect that the treaty power "is not to be so construed as to destroy the fundamental laws of the State," the word "state" is regarded by the author as plainly used in its generic and not its particular sense. Further, the State-rights view of the treaty power, it is held, "was retained during the period of its greatest prominence by immediate concern for a great sectional interest which no longer exists."

In conclusion, Professor Corwin argues that the theoretic supremacy of the treaty power is not in reality so fraught with danger as has been frequently maintained. In the first place, he points out that the constitution of the Senate fits it to be a guardian of State rights. Further, the power of Congress to abrogate treaties constitutes an effective check. But the strongest safeguard of all, in the author's view, is that principle of self-interest which deters any nation from surrendering by treaty with another that degree of control over its internal concerns which other nations habitually retain. To reinforce this view, the author instances that settled maxim of international law which provides that when treaty provisions are ambiguous nothing passes by implication to the diminution of the sovereignty of the granting power. These arguments, especially the last, seem to be admissions that the historical argument is not conclusive. But so far as this argument itself is concerned, Professor Corwin's treatise presents a mass of logically cemented facts not easily to be overthrown.

LOVE AND LIBERATION. By JOHN HALL WHEELOCK. Boston: Sherman, French & Company, 1913.

To the poet in a certain state of lyric rapture, it seems to be a matter of no great importance what he calls the essential thing of which he writes, or how, if at all, he defines it. "Beauty" and "Love" are the terms most commonly used, and they are the words which appear most frequently in Mr. Wheelock's fervent songs. Perhaps if we called the thing "Life," we would come as near as possible to naming it correctly. If you are a pantheist, you may call it God, or if you are very much in love you may symbolize it as the beloved. But in any case, the mood is much the same—it is the mood of feeling spiritually alive and in harmony with a living universe; of seeing existence as a flashing stream trembling with life.

Purely of this nature seems to be Mr. Wheelock's inspiration, as revealed in the present volume of verses. The exaltation of Love and of Liberation, in the loftiest and vaguest senses which these conceptions are capable of bearing, is the dominant motive. The following verses, though not of the author's best, are significant of his general tenor:

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Why do I lift my voice
  Drunken as though with wine?
Because I have discovered
  That everything is divine.

What we seek, we find—
  Seem it or near or far:
Because I have discovered
  That what we seek, we are.

Joy and Beauty and Love
  Never the heart may fly,
Whether it would or no,
  Whether it live or die.

As an example of richer expression, we may choose, out of many rich verses, these:

Now the immortal peacock
  Above our dreaming heads,
The star-eyed, veering train
  Of sumptuous darkness spreads.

Now a foamed wake in heaven
  The sun's keel leaves behind
Of stars, and phosphorous splendors,
  And memories in the mind.

The two citations seem to mark approximately the poet's two limits—the limit, in the one direction, of thought, and in the other of poetic imagining. But always there is intensity and delicacy of feeling; and as the feeling is delicate and intense, so the expression is simple and the flow of words liquid. Of course we cannot afford to disregard the apparent significance of poetry, however spontaneously lyrical it may be, but that is not the end of the matter. Though there be many—the present critic among them—who find themselves unable to respond whole-heartedly to Mr. Wheelock's mode of celebrating the infinite, while they are baffled in the attempt to distinguish in such utterances as his between insight and illusion, between the vision of truth or beauty and mere meaningless splendor, still few will deny the genuine lyric quality of the verses in *Love and Liberation*. The gift of ecstatic expression has never been vouchsafed to many, and has always been prized for its own sake. This gift Mr. Wheelock possesses in no small degree.

EDUCATIONAL RESOURCES OF VILLAGE AND RURAL COMMUNITIES. Edited by JOSEPH K. HART. New York: The Macmillan Company, 1913.

This volume is intended mainly as a "tool of inquiry," aiming to promote a better social understanding of and among rural and village communities. The editor advances the view, which doubtless has a certain amount of truth in it, that education is at present too closely confined to the school. Education, especially rural education, it has been said, must be hitched to life rather than to a star, and it is becoming incumbent upon teachers and ministers to know something of the economic, social, and

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physical conditions of the communities in which they do their work. The social life of many village and rural communities emphatically needs "centers," and the plea for practical and devoted work on the part of the country minister cannot be too often or too strongly made.

This is a day of "surveys" and social statistics, and it is to be hoped that good will grow out of them. The question, however, inevitably arises, Who is to do all the work? Considerations relating to the salaries and educational equipment of country teachers fail to give much encouragement, nor are we likely to "change all that" by a French Revolutionary miracle. On the other hand, it is heartening to reflect that the work of one good and efficient worker spreads far in widening circles; and a well-made tool of inquiry does not come amiss. The book takes up almost every conceivable aspect of community life from soil and temperature to politics and recreation. Each chapter is the work of a writer of some authority upon the particular subject discussed, and to each is appended a list of questions regarding one's own community—questions which, simple as they are, may reveal a pitiful inadequacy of information about things vital and near at hand, on the part of him who lightly essays to answer them. The inquirer is also furnished with suggestive bibliographies.

A Short History of the United States. By John Spencer Bassett, Ph.D., Professor of American History in Smith College. New York: The Macmillan Company, 1913.

Falling, in size and scope, between the ordinary school text or skeleton outline and the more comprehensive histories of many volumes, this book of Dr. Bassett's is convenient and desirable from the standpoint of the general reader as well as that of the college student. Despite a certain occasional awkwardness of style, to which the modern scientific historian, like other scientists, is somewhat prone, the narrative is thoroughly readable. Those who have read little history since their school days will especially note a certain breadth and freshness of treatment. Indeed, there is hardly a page in the book which does not show the effect of modern research in regard to either matters of fact or point of view. Political history furnishes the framework of the narrative, as it must; but the volume contains at intervals summaries of the habits and social progress of the people, and the public welfare is never forgotten. The author has aimed to write a social history, and his success in this respect will satisfy most readers. The narrative extends to and includes the administration of Taft, and among the modern topics discussed are trusts, Chinese immigration, relations with Japan, the war with Spain, the Isthmian canal, and Roosevelt's corporation policy.

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LETTERS TO THE EDITOR

PRIMARIES AND PLATFORMS

WASHINGTON, D. C.

SIR,—I do not know whether you have as little respect for the general run of political platforms as I do, but I am inclined to think that our views cannot diverge very greatly in the consideration of these so-called declarations of principles. I have very little respect for them, because I know how they are made and how, under circumstances that make clear thinking and calm acting entirely impossible, suggestions are adopted and incorporated and henceforth are sacrosanct.

So much for an introduction. In view of the fact that it appears almost certain that hereafter all political candidates for office will be chosen in primaries, why should there be any convention and any platform? Isn't it a sort of handicap imposed after the race has been run? Isn't it a ridiculous anachronism?

My impression is that in England, where the parties are clearly and strongly divided, there is no such system as we have, and which, while it had some reason for being under the old system, has absolutely no excuse for existence now.

If we did not have a convention and a platform after the selection of candidates by the primary, we would escape many embarrassments and avoid much undesirable legislation.

At least, that is my opinion, and I hope that if you concur in that view you will let the world hear from you through THE REVIEW or any other medium of communication you may elect.

JAMES L. SLAYDEN.

[Undoubtedly there is point in the distinguished Texas Representative's observation; and yet, if platforms be abandoned, what will remain to "get in on" or subsequently to hide behind? It is a problem full of angles.—EDITOR.]

APPRECIATION

DES MOINES, IOWA, *April 9, 1914.*

SIR,—"We Appeal to the President," in the April NORTH AMERICAN REVIEW, is so striking, so appealing to the good sense of the American people, that I congratulate you most heartily. I feel very deeply on this matter because of my knowledge of conditions in Mexico. In a series of letters to Iowa papers some weeks ago I urged, in a modest way, the same thought you have so ably presented. If you could reach all the people

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of this republic with that appeal the pressure would be so strong that President Wilson would at least pause and take account of just where he is landing. This country is going ahead, rapidly and with force, into deep trouble with foreign nations if our policy toward Mexico is not changed. Humanity, at the same time, shudders at what is being done down there and not an effort made to stop it. A slaughter that could have been prevented if Mr. Wilson had not taken such a wrong stand at the start. Keep at it. The President must listen. The people are greatly wrought up over his Mexican policy and he must see his mistake.

C. C. PUGH.

CAMERON, ILLINOIS.

SIR,—I have been a regular reader and subscriber for THE NORTH AMERICAN REVIEW for a number of years, and I am writing to tell you how I enjoy it now more than ever before since your editorials have been published therein.

Your Appeal to the President, as renewed and emphasized in the current issue, is both noble and timely, and, it would seem, must almost surely be heeded.

However, I am not sure but that you do our President an injury when on page 500 you speak of his "course, which in common with everybody else he must know to be wrong."

I fully agree with you in your view of the situation, but surely if President Wilson did he would not lack the courage of his convictions?

Other editorials that I have greatly enjoyed were those relating to class legislation, the assault on classified service, the consular appointments, and the Pindell incident. I think as a patriotic—yes, proud—American citizen, I should say fully approved, rather than "greatly enjoyed," for surely these instances so clearly set forth are enough to make the most hardened partisan blush for shame.

A. A. OGDEN.

RURAL CREDIT

VINITA, OKLA., *April 9, 1914.*

SIR,—I have just read Mr. Van Courtland's article, "What Is Agricultural Credit?" in the April NORTH AMERICAN REVIEW, and have been moved to express myself on a different phase of the same subject.

The majority report of the American Commission which was sent to Europe last summer to study the Rural Credit systems in operation in the different countries showed that the members were in favor of pushing the Rural Credit movement in America. There was, however, a minority which questioned whether our country was yet wholly prepared for such a step.

I was appointed by Governor Cruce to represent Oklahoma, and traveled with the Commission during the entire trip. We were treated with great courtesy and friendliness by the representatives of the different governments, and shown the best they had along the lines of our investigation. Naturally they would not show us the failures, and there are failures, although, as a whole, the co-operative movement in Europe has been a great success. This made some of us anxious to do a little investigating on our

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own account. Also it seemed to us that the conditions of the home and the social life of the peasant farmers would form an important piece of evidence. This the Commission could not undertake, partly from lack of time and partly from the obvious impossibility of strangers getting at the intimate details of the life of a people whose language they could not speak.

For the purpose of studying this side of the subject I remained three months longer after the Commission went home. The things I learned in that second three months made me feel that we should proceed with great caution in urging upon our people a system that has succeeded under conditions so radically different from anything we have in the United States.

I do not wish to discourage the co-operative movement, but I do wish very earnestly to call attention to some of the stumbling-blocks in the way.

We know that those farmers who most need credit have difficulty in securing either short or long term loans; that the producer of foodstuffs does not receive a price in proper proportion to the cost to the consumer; that in certain sections farms are being abandoned. Agriculture has not kept up with the times, and beyond a doubt our agricultural conditions must be improved.

The one remedy generally suggested for the sum total of these ills is cheap and easy rural credit. Glowing reports of the success of the co-operative rural banks in Europe have strengthened a belief that our farmers should set up similar institutions. Advocates of the movement assert unreservedly that agricultural credit will increase the yield of the land, reduce the cost of living, and keep our rural population from deserting to the cities. *Quod erat nondum demonstrandum!*

Before entering upon a discussion as to the advisability of trying it in the United States, we should know exactly what the European co-operative rural credit system is, the conditions under which it is operated, and the character and environment of the people benefited. Since these associations vary but little in the various countries, and most of them are built on the Raiffeisen plan, a definition of the latter will serve for the whole. A typical Raiffeisen bank is a registered society with unlimited liability. The principal features are these:

Limitation of membership to one community or village, to secure mutual personal knowledge of the standing of members.

Loans only for productive purposes.

Loans only to members.

Unlimited liability of members.

Permanent indivisible reserve fund.

Short-term credit on personal guarantee.

Credit for long periods with facilities for repayment by instalments.

Absence of profit-seeking, dividends if paid being limited.

Office-holders, except secretary, not paid for their services.

Promotion of moral as well as material advancement of members.

The main idea of the Raiffeisen plan is the using of character as an asset; the giving of credit on personal security; and it follows that the success of a financial institution of this sort depends very largely on the permanency of the community and upon the intimate knowledge each member has of his neighbors' personal affairs, ability, and moral standing.

The first question asked of a man who comes to borrow of a bank of this kind is, "What are you going to do with the money?"

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Perhaps the man answers, "Buy a cow."

A committee then decides whether he needs a cow, and, if so, whether he can make a cow pay, before letting him have the money. If he secures the loan, his neighbors watch to see that he uses it for his avowed purpose, and that he takes proper care of his investment.

Supervision of this sort is necessary when a man uses his character as collateral, and conditions which permit of such supervision are imperative.

Rural conditions in Europe and in America are widely dissimilar. The European peasant and the American farmer have radically different habits, ideas, and ambitions. From feudal times the peasants have lived in villages, or communities as they are properly called, since the dwellers are all of one race, and often through intermarriage of a close interrelationship. They have the same customs, the same standards of living, and the same religion. This last is a most powerful bond, since each farming community has its own local church and a resident priest who takes an active interest in the material as well as the spiritual welfare of his flock and is usually the leader in any movement for their advancement. The European farmer rarely moves from one locality to another, but clings to the farm where he was born, and where very likely his father and his grandfather before him spent their lives. This permanency of residence gives the co-operative spirit the setting it must have for development. His standard of living is low; he eats coarse, cheap food; he uses farm carts that were made by his grandfather; his home has but little furniture; the clothing of his family is made for warmth and wear, with no attempt at style. There is no aping of the gentility, in the matter of clothes, food, or amusement, no struggle whatever to live beyond class means. All members of the family, including grandmother and the cow, work in the fields, so there is little expense for hired labor. The average peasant is not educated in books nor by travel. He is slow, superstitious, and conservative. Moreover, he has respect for authority, whether exercised by king, count, or priest, and here enters another factor in the problem. For whenever and wherever a co-operative association, financial or otherwise, has been started it has been done, not by the peasants themselves, but by some philanthropic power or person, government, lord of estate, or religious leader. There is in each country some one high in authority who preaches the doctrine of co-operation and sets in motion the local powers.

Italy has Luzatti and Wollemborg, backed by the active interest of Victor Emmanuel; Hungary had Karolyi; Germany had Raiffeisen and Schultze-Delitzsche; and Ireland has Sir Horace Plunkett.

In Italy agriculture receives assistance from the crown and from titled owners of large estates who partly from altruism, partly from necessity, have instituted co-operative systems for the benefit of their tenants. In Hungary all popular agricultural measures are undertaken and managed by the government or by the nobles. In Austria there are both governmental and popular societies. In Germany the Raiffeisen societies have not received government aid, but were started and supervised by persons of philanthropic motives who had more education and better business judgment than the peasants. In France, where the Crédit Foncier does not follow the Raiffeisen type, the rural banks are aided by the state bank. In England there are few co-operative societies, and those there are usually owe their existence to some person of title. In Ireland public-

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minded lords and ladies are preaching vigorously the doctrine of co-operation to an erstwhile reluctant constituency.

Besides the co-operative credit banks there are co-operative societies for the purpose of preparing and marketing farm produce, creameries, slaughter-houses, and the like; and there are other societies for supplying farm necessities to the members. These things are as important helps to agriculture as is credit.

Again, Europeans farm more scientifically than we do. Instead of skimming over as many acres as possible, small holdings intensively cultivated are the rule. The land is carefully conserved by fertilization, rotation of crops, and hand cultivation, so that the yield per acre is much greater than with us. Another advantageous circumstance is the dense population, creating for produce a market close at hand, with slight transportation expenses. Perishable commodities like green vegetables and fruit are taken by the producer himself to the market-place and transferred to the consumer without the intervention of commission man or grocer.

Here, then, are the European conditions:

The rural population segregated into permanent communities where each man knows intimately his neighbors.

A community made up of members of one race, interrelated, with the same habits and ideas, the same religion, the same standard of living, and that a low one.

Farmers submitting to leadership of some person of higher class.

Rural credit banks receiving either government or philanthropic supervision.

Co-operation in buying and selling.

Small farms intensively cultivated.

Conservation of the soil.

A dense population making a near market for produce.

All these things are favorable to the growth of the co-operative spirit, and the leaders of the movement themselves say that rural credit has succeeded in Europe on account of the conditions, not in spite of them. For on the Continent co-operation has succeeded. There have been failures, but the movement as a whole has been a success.

Now turn to our own country. We have no aggregation of farmers' dwellings, no communities. Our rural population live in solitary houses usually set far apart on account of the relatively large areas of the farms. The farmers do not see one another often enough to become intimately acquainted. As a rule, the individuals of any one district differ in ancestry, religion, ideas, and habits. There is no tie that binds one farmer to another any more than there is between farmer and townsman.

The average American farmer is intelligent, independent, ambitious, eager for new experiences, ready to sell and move on, sending his children to town to be educated, leaving the farm himself if speculation offers. He has not a co-operative spirit; he does not wish his individual action hampered, and is averse to indorsing another's liability. He takes orders from no one, resents supervision, and is suspicious of altruistic services. If, say, a banker should try to advise and supervise the affairs of a farming district, he would very probably be told to mind his own business or else asked what he expected to make out of it.

With a mass of people of these characteristics, only classed together because of their occupation, the situation is so diametrically opposite to

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that in Europe that the fact of the success of the rural credit movement in the latter region can have little bearing on how it would work in this country. Those forms of rural co-operation that have been tried in the United States—farmers' granges, co-operative creameries, and grain elevators—generally have failed. There is no doubt that co-operation on many lines would be a good thing for the farmers if it could be made to work. It will do no harm to urge them into the spirit of the thing. Let them try a co-operative association for buying seed and fertilizer, or a creamery, or a cow-testing society. If a company of farmers could make a success of something like that, they might be prepared to approach the rural bank idea. But if they fail in the simpler operation, how can they be expected to succeed in the greater?

In the older settled farming regions where the population is more stable, a trustworthy farmer can secure a short-time loan from the local bank on his personal note. Without the formation of a co-operative society he utilizes his character as security in the same way as the member of a Raiffeisen bank, and this is possible because the same conditions are present which make possible the existence of that bank.

Lakefield, Minnesota, has a series of co-operative, enterprises—bank, grain elevator, creamery, supply house—that are being operated satisfactorily. But Lakefield also has that European factor, a leader. Mr. James Caldwell is a man of keen business ability who first preached the co-operative idea, then founded, then supervised the management of all these associations. Lakefield was willing to be led by the superior judgment of Mr. Caldwell, and has profited accordingly. If we had leaders enough the proposition would be simplified.

It should be borne in mind that the welfare of the rural population does not depend wholly upon credit. A lot of our farmers need to be taught better farming, thrift, and business sense. All of them are not failures, and where one is found who knows how to farm and who puts as much brains into his work as a successful banker puts into his, then we find a farmer who is able to finance himself. Legislation cannot make a man prosperous, but education may. We already have agricultural schools, exhibit trains, traveling lecturers, experiment-station bulletins, and farm journals which are doing good work in agricultural education. Townspeople are waking up to the fact that rural conditions affect them as much as anybody. Agriculture is the most indispensable industry, and, whether it flourishes or declines, affects every class; yet it is the one industry which has failed to keep up with the times. Fortunately we are at last aroused to the rural need, and the widespread discussions that are taking place cannot fail to do some good.

The farmer alone cannot work out his own salvation. Successful people in other lines must take hold and help him. But for the very reason that we are all interested in the welfare of farming people the greatest caution should be exercised in urging untried schemes upon them. Rather let us go slowly, one step at a time, until the road is safe and sure under our feet.

MARION SHERWOOD LAHMAN.

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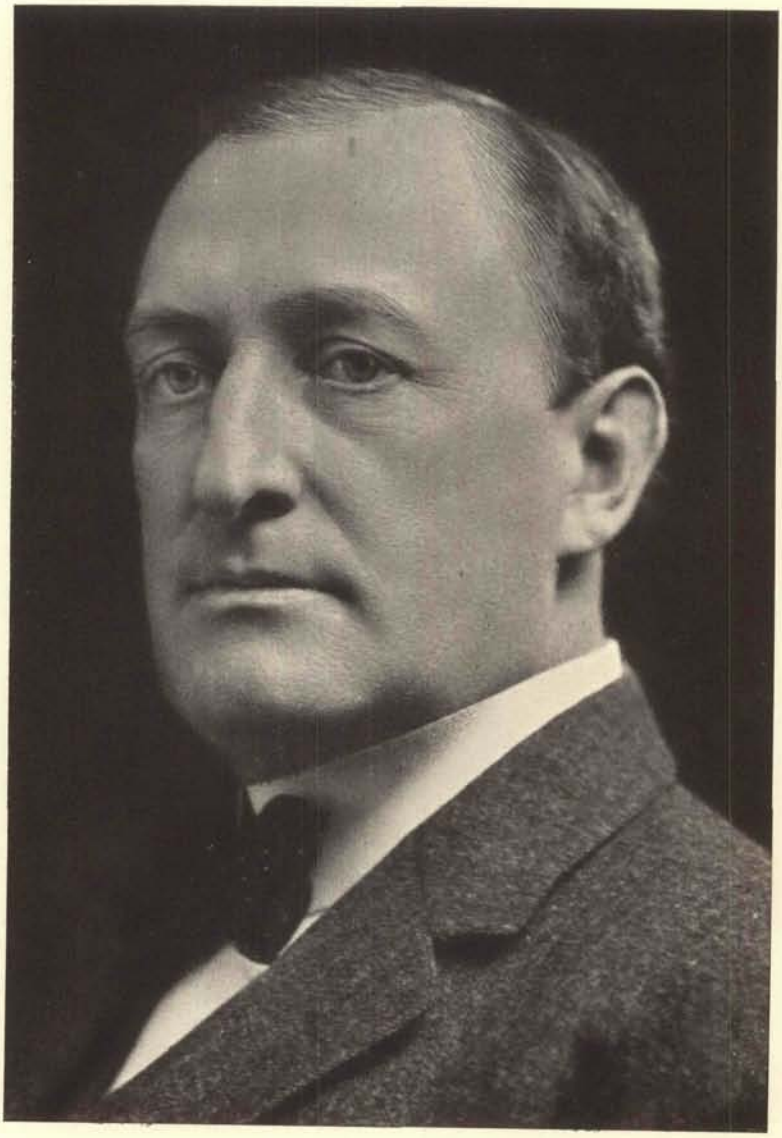

JAMES CLARK McREYNOLDS

ATTORNEY-GENERAL OF THE UNITED STATES

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